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NEBRASKA'S ONE-HOUSE LEGISLATURE

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In Nebraska the movement for a unicameral legislature began in 1913, when a legislative committee was appointed to study ways and means by which the state government might be made to function more effectively and to report its findings to the 1915 session of the legislature. Its recommendations to the next session included a thorough revision of the rules of procedure, the adoption of an executive budget, and a constitutional amendment creating a one-house legislature to be submitted to the people by the initiative. The legislature of 1915 adopted the recommendations of the committee as far as revision of the legislative rules but did not act upon the other two proposals. In 1917 a legislative resolution for a constitutional amendment for a unicameral legislature failed of passage. The constitutional convention of 1919-1920 considered a proposal for a one-house legislature to be submitted to the people. A tie vote for consideration of this question was broken by the president who voted in the negative. Three other legislative proposals were introduced during the next thirteen years.

But it was not until the legislature came to grips with the problems resulting from the depression that a nucleus of the electorate saw clearly that a change in the structure of the lawmaking body was necessary. The unsatisfactory legislative products of the 1931 and 1933 sessions caused much adverse and searching criticism. After the gradual development of the unicameral idea in Nebraska during the previous twenty years, the time seemed ripe for submission of the question to the people. A citizens' committee under the lead-

ership of Senator George W. Norris drafted an amendment. A second committee was selected to direct the circulation of the initiative petitions for signature. The ease with which the signatures were obtained indicated that there was popular support for the proposal. The law required 57,000 signers; the number secured was 95,000. An intensive campaign for the adoption of the amendment was begun in October 1934 and lasted until the election in November. Since thirty-five per cent of the total vote cast in an election is necessary for the adoption of a constitutional amendment and because the interest of the voters in such abstruse matters is difficult to gauge, proponents and opponents alike were surprised to find, when the ballots were counted, that the amendment had carried by a majority of 93,834 votes. As ratified, the amendment provides for a one-house lawmaking body composed of not less than thirty nor more than fifty members elected from single member districts on a non-partisan ballot; a total annual salary of \$37,500 to be apportioned equally among the membership; biennial sessions unless otherwise provided by law; designates the lieutenant-governor as presiding officer of the house; abolishes the twenty-day limit for introduction of bills; adds that the final vote on passage of a bill cannot be taken until a lapse of five days after its introduction nor until it has been on file for final reading and passage for at least one legislative day; that a record vote be taken on any question upon the request of a single member; and required the 1935 session of the legislature to district the state in accordance with the membership determined by that body.

Regardless of the fact that the amendment had been approved by the people most conclusively, it was evident that the legislature of 1935 approached the problem of determining the size of the legislature and the apportionment of the state with no enthusiasm for the task. A special unicameral committee was appointed in each house. At the very outset an important decision confronted the respective committees, namely, whether to determine first the size of the legislature and then work out the districts in conformity with the number of members or follow the experimental method of ascertaining what constituted an equitable apportionment and let that decide the size of the house. The senate committee pursued the latter course, and though the house favored fifty members its committee eventually followed the action of the upper house.

To determine an equitable representation between the minimum of thirty and a maximum of fifty legislative districts, the committee utilized all available means of research. More than thirty maps were prepared to illustrate the various possibilities of districting. It was found that forty-three districts would result (1) in the most equitable distribution of representation possible and (2) in the least margin of variation in the ratio of population among the several districts. It was not until the third month of the 1935 session that the bills on size and apportionment were taken up, and before the measures finally passed both houses the fifth month was more than half gone. It was rather ironical that the bills fixing the size and number of districts for the one-house legislature were subjected to all of the procedural intricacies of the bicameral system before the measures were enacted into law.

The law providing for the nomination and election of the members of the new legislature on a non-partisan ballot followed the provisions of the statutes relating to the election of judges and state superintendent of public instruction. The fears of the opponents of the amendment that one or the other of the major political parties would control the majority of members of the unicameral legislature were not fulfilled in the election. Of the forty-three members, twenty-one were republicans and twenty-two democrats. Thirty-two of the number had had previous legislative experience, and the majority of this number served with distinction in sessions of the bicameral legislature. As to occupation, eighteen listed themselves as farmers, ten as lawyers, and the remainder as professional or business men. One observer has said: "... the charter members of Nebraska's first one-house legislature are better equipped in native ability, educational training, and legislative experience for the task facing them than those of any legislature in many years."

Some of the elected members of the 1937 session favored an informal meeting before the legislature convened for the purpose of ironing out problems of organization, but upon mature thought decided that such procedure would smack too much of the old caucus system and abandoned the idea. Organization of the unicameral legislature proceeded with less confusion than had been anticipated due to the fact that Representative J. N. Norton, exponent of a one-house legislature since 1913 and leader in the revision of rules in the session of

1915, had prepared in advance a body of rules adapted to the unicameral legislature. These rules, after careful consideration by a special committee, were adopted with but few modifications of the original draft submitted by Mr. Norton.

The speaker and other major officers were nominated by informal and elected by formal secret ballot. The members of the respective committees were selected by a committee on committees, without the preliminaries of a caucus as had been the custom since 1915. In keeping with the spirit of the one-house legislature, the number of standing committees was reduced from thirty-two to sixteen, organized on the basis of major fields of legislation rather than on the basis of individual subjects. The membership per committee varied from five to eleven. The whole afternoon of each legislative day was set aside exclusively for committee sessions and the meetings were so staggered that no member would have to serve at the same time on more than one committee.

A feature of procedure that was new and won widespread approval was the committee hearings. Every bill received fair consideration at a public hearing at which those interested could present their views. The time, place, date of hearing, and the bills to be considered were widely publicized five days in advance of the hearing. The interest manifested in these hearings and the generous publicity given them by the press had a most wholesome effect in giving every bill fair consideration and in forcing procedure into the open. A complete record of action taken on every measure in committee, stating reasons for changes in the original bill, accompanied the measure when reported to the house. While these reports did not appear in the daily journal, unless requested, they are preserved in the records filed in the office of the secretary of state, where they are available for inspection.

After a bill emerged from a standing committee with favorable recommendation it was placed on general file for consideration by the house. At first this consideration took place in the Committee of the Whole, a hangover of the bicameral practice, but when that anachronous institution, at first suspended and finally abolished by unanimous vote, was abandoned the last vestiges of bicameral procedure disappeared from the one-house legislature. Thereafter bills on general file received their first consideration by the house sitting in regular session under full responsibility of the rules. This and all

succeeding steps of procedure were particularly adapted to the functioning of the unicameral body as a responsible, cautious, and efficient legislature by providing safety against hasty deliberation and by subjecting every measure to most thorough and searching scrutiny through all the successive stages. A measure having passed the general file stage was then advanced to the Committee on Enrollment and Review for a thorough examination as to clarity of its phraseology, for checking against existing statutes, and should doubt exist as to its constitutionality a special counsel of three employed for the duration of the session were required to render an opinion. The Committee on Enrollment and Review rendered important service during the session by revising and often amending measures in important particulars. From the Committee on Enrollment and Review the bill passed to a select file where it was considered a second time by the house before the final or third reading. This double check, which provided every possible precaution for accuracy, deliberation, and precision in the language of the bill is not only peculiar to the unicameral body but also constitutes a distinct contribution to the process of lawmaking. The bicameral body could not utilize this process because neither house had full control over a measure as has the one-house legislature. The foregoing procedure completely disposes of the pessimistic predictions repeatedly voiced by opponents of the unicameral legislature that it would act hastily and that its legislation would be ill-considered.

Much discussion within and without the legislature centered around the retention or rejection of the Committee of the Whole. Senator Norris maintained that it was unnecessary in a small one-house body. However, when the rules of procedure were adopted, the majority of the legislature voted to retain it. Finally its use was suspended in order to determine whether it served a real purpose in the procedure. The experiment of consideration of measures on general file by the house sitting in regular session, instead of in Committee of the Whole, demonstrated beyond cavil the uselessness of that time-honored institution when applied to the one-house legislature. The vote to abolish it was unanimous.

From three to five days must intervene between successive stages in the detailed deliberations on a bill. This spaced consideration afforded time for mature judgment. The record

votes which had to be taken did not slow up proceedings because of the electrical system of voting which has been used in Nebraska since 1933. Only four seconds are spent in recording a vote.

One of the most important results of the simplified procedure in the one-house legislature is the ease and accuracy with which the electorate can follow the progress of bills as reported in the newspapers. The press did an admirable piece of work in its reporting of the legislative proceedings. Feature articles did not always reflect the most progressive views, but the actual report of proceedings showed a great improvement over previous sessions.

But no matter how perfect the machinery may be for the enactment of legislation, if those who operate it are careless and inefficient, the legislative product will be unsatisfactory. What then was the attitude of the members of this compact group, elected on a non-partisan ballot, toward their task as lawmakers. Some commentators have made the observation that the non-partisan feature was almost, if not quite, as important as the change from a bicameral to a unicameral body. There was a sincere effort on the part of the legislators to be non-partisan. If one's knowledge of legislators and legislation has been gained in a state where party cohesion is strong, such a statement might occasion surprise. In their subordination of partisan politics to the economic and social welfare of the state, members of the unicameral body were merely adhering to the well-established legislative practice in Nebraska, where, since 1920 at least, economic interests, rather than party politics, have determined the success or failure of legislative measures. State legislation of the present day is so intimately concerned with social and economic problems that its relation to the principles enunciated by political parties is most remote.

Observers of the legislative proceedings of the unicameral legislature were impressed by the dignity, yet informality, of the lawmaking body. No matter how important, or how controversial was the question under consideration, there was no spread-eagle oratory. The discussion resembled that around a conference table. Members expressed their opinions without waiting for a signal from a leader. It may also be noted that the legislators who would hesitate to address a large house participated freely in the informal deliberations. The whole

atmosphere in discussion approximated germane deliberation, and that fact is one of the best arguments for keeping a one-house legislature small in its membership.

The observer also missed the carefree attitude and the horse-play which distinguished some past legislative sessions. In contrast, there seemed to be a seriousness of purpose on the part of the legislators, probably due to the fact that they were aware that their consideration of a measure was final and that their work would not be overturned by the action of a second house. One saw likewise a solidarity of interest among the legislators. While members differed as to the method of solving a problem, nevertheless they assumed individual as well as collective responsibility in finding a satisfactory solution. The small one-house body in Nebraska is, according to Henry J. Allen of Kansas, "equipped by its very nature and purpose for more discriminating legislation" and affords "opportunity for a more thorough and leisurely process of judgments."

Several handicaps retarded, to a considerable extent, the work of the first session of the one-house legislature. The first was the amount of time consumed in the consideration of the rules of procedure and in perfecting the organization of the house. This necessary delay will be eliminated in the next session.

The second was the large number of bills thrown into the legislative hopper at the close of the thirtieth legislative day, which the rules of procedure designated as the last day of bill introduction. The need of a pre-review of bills to be introduced, thereby sifting the chaff from the wheat and effecting combinations of similar proposals, was, in the light of experience, generally recognized as a desirable remedy against the repetition of what occurred the last day of bill introduction in the first session. The agency most frequently suggested for this purpose is a committee on reference of bills. This device is looked upon as not only essential but also the most important aid to facilitate the preliminary sifting with the hope of reducing the volume of legislative grist.

The press and the public alike ask why so many bills. In the first place, the unicameral legislature inherited the defective statutes passed by many bicameral sessions. The demands for repeal or amendment of these acts were numerous and had to be met. Again, there are some legislators and

many citizens who still believe that a member of the legislature is an agent of his constituency rather than a representative of the state. A legislator who regards himself an agent of his district is under pressure to introduce any bill requested by his real or alleged constituents. In the next place, local governments now look to the legislature for remedies to problems which could be dealt with more effectively by the governments of local units. Lastly, general laws should be enacted for the disposition of many administrative problems by administrative officials instead of by detailed and piece-meal legislation. The third major handicap was the lack of legislative leadership, a comprehensive legislative program, and factual information to support that program. The average citizen as well as legislator thinks of leadership in a lawmaking body in terms of political leadership, but political leadership is neither advisable nor possible in a non-partisan legislature. Party leadership in the two-house legislature, for the most part, consisted in the ability to crack the party whip on recalcitrant members and to quote from the meaningless party platform as a reason for either supporting or opposing a measure. This was not a guarantee of the worth of legislation. Moreover, social and economic legislation, which comprises the greater portion of the problems with which the state legislature today must deal, has no relation to a political party as at present constituted. Therefore legislative leadership instead of political leadership is what the legislature must seek to achieve.

Leadership will undoubtedly be supplied in the next session through a legislative council, a body of fifteen men selected by and from the legislature, who will meet between sessions, and with the aid of a competent research staff, gather information for the members and outline a legislative program. The work of the council will make available for all of the members authentic information in concrete and comprehensive reports for guidance in shaping important legislation. This factual information will supply members with the answers to many arguments presented by lobbyists. Without doubt the council will prove a helpful instrumentality for promoting sane legislation. The experience of Nebraska's sister state, Kansas, with its legislative council has pointed the way. Since the creation of the Kansas legislative council, the number of bills has grown less in successive sessions, and the sessions have grown shorter in duration. In the 1937 session the Kansas

legislature had not only fewer bills to consider but those introduced were of higher standard than formerly, because founded on facts instead of on theories and guesswork. What, however, is especially significant is that the Nebraska council will develop from within the legislature a real and responsible leadership.

One of the first questions which the many press representatives from other states, sent to observe the one-house legislature, invariably asked was the relation of the lobby to this small unicameral lawmaking body. There were approximately four times as many lobbyists as members of the legislature. The lobbyists found that they no longer had the intricate procedure of the bicameral legislature through which to achieve their ends. With the system of public hearings announced five days in advance, they could not induce the committees to hear only their side of the question. Members of the unicameral legislature admit that the lobby, under present conditions, is necessary for the purpose of furnishing data on abstruse subjects of legislation at committee hearings. The legislators were ready and willing to receive such information, but, as an independent body, unhampered by the strings of party affiliation, resented the sledge hammer methods of pressure groups whose success, for the first time, was deterred, rather than advanced, by such pressure tactics. Publicity is a protection to the legislator who tries to be honest and conscientious in the performance of his duty as a public servant; whereas to one who is aware that publicity may reveal his relation with undercover alliances, it may act as a deterrent.

Now that the first session of the one-house legislature has adjourned, commentators are evaluating the lawmaking body on the basis of its achievements. All agree that a fair estimate cannot be made of the one-house legislature judged by a single session which involved the formulation and adoption of the rules of procedure and whose membership was made up of a majority of men who had served in bicameral legislatures. Many of these had been opposed to the new system. The remarkable fact is that without exception they were in favor of the unicameral body at the close of the 1937 session. Perhaps the outstanding feature which should be noted was the very determined effort on the part of the majority to improve the mechanics of lawmaking, a marked contrast to the attitude in the sessions of the bicameral lawmaking body where little

or no changes for improvement had been made in the last twenty years. The rules when once adopted were not accepted as a final and finished product. Throughout the session alterations were made and suggestions for future improvement voiced up to the day of adjournment. Also the creation of the legislative council was not premised on theory but on experience.

As to the product of legislation, there were many regulatory measures such as a little NRA for motor vehicle dealers, bindweed eradication, soil conservation, permanent tenure for teachers, a fair trade practices act, and an examining board for architects and engineers. Unemployment compensation and social security statutes consumed much time in enactment not only because of the federal regulations but also because of the amount of money involved in the latter. The most widespread criticism resulted from the failure to ratify the federal child labor amendment and refusal to pass a resolution for a constitutional amendment to allow counties either to elect or to appoint their officers. The latter may appear on the ballot in 1938 in the form of an initiative. The reason for such an amendment to the state constitution is due to a decision of the state supreme court nullifying the county manager law on the plea that the constitution did not permit the appointment of county officers. Another disappointment was the failure of the bills providing for the election of county officers and the members of the state railway commission on a non-partisan ballot. However, the legislature is to be commended for the passage of a highway patrol act, for regulation of motor transport traffic, and for an act providing for budget control and uniform accounting for counties. Unconstitutional legislation is sought to be prevented by an act creating the office of constitutional reviewer. A short ballot proposal was passed and will be voted upon by the people at the general election in 1938. It provides for the election of the governor, lieutenant-governor, auditor, and superintendent of public instruction for four-year terms. The officers eliminated from the ballot are the secretary of state, attorney general, and treasurer, who are to be appointed by the governor with the consent of the legislature. A recall provision is included in the amendment. A word must be said about the appropriations. The budget totaled in round numbers \$54,000,000 of which only \$12,391,637 are derived from the general property tax.

The remainder comes from fees, indirect taxes, and federal funds. The report of the Appropriations Committee to the legislature was carefully prepared, and any item in the governor's budget raised was supported by factual information and reasons for the decision of the committee. The work had been done so well that consideration by the legislature, though thorough, was short and decisive. The vote was 39 to 0.

It is conceded that one session cannot prove or disprove the worth of the unicameral body. The people as a whole seem to approve of it. In the final analysis, the success of the one-house legislature will depend upon the character and competence of the men and women who are chosen to operate it. Will in time the interest of the people lag so that in the future they will not exercise the care in the choice of lawmakers that they did in 1936? A major change in a time-honored institution of government requires courage, but the task of making the new system work successfully demands even greater courage as well as foresight and patriotism. It would be a serious reflection upon the knowledge that comes with experience to say that we should not face in government what is faced in industry, the constant need for readjustment and reorganization. Nebraska citizens possessed the courage to pioneer through the one-house legislature an experiment which, to date, fulfills the arguments advanced for its adoption. Upon the wise selection of representatives depends the ultimate success of the unicameral legislature. The greater responsibility which the small, compact house places upon the individual member requires that he shall have the ability and moral fortitude to meet that trust.

THE CORPORATION SURPLUS TAX IN ITS RELATION TO THE BUSINESS CYCLE

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Deficit financiering has been a major feature of the American Government since 1929, despite repeated assurances that the budget would be in balance "next year." But when the Supreme Court, early in 1936, reduced revenue by a half-billion dollars by declaring the processing taxes invalid, and when Congress a few days later increased expenditures over a half-billion dollars by providing for the immediate payment of the soldiers' bonus, it was imperative that additional revenue be found.

It was then that the Administration proposed a tax on the undistributed earnings of corporations, stating that it would raise approximately \$600,000,000 in revenue, that it would remove a major injustice in our tax system, and would plug up a large loop-hole, widely used for tax avoidance. A wide avenue of tax avoidance had been available to corporations by retaining net income in the surplus account instead of distributing dividends to the stockholders. When left with the corporation the income was subject to the normal corporation tax, ranging from 12½ percent to 15 percent, but if distributed as dividends they fell into the personal income brackets where, in most instances, the surtaxes were much higher. Commenting upon this situation, Dr. Roy G. Blakey, noted tax authority, says:

The differentiation in the taxation of corporations and individuals . . . has long been a powerful inducement for large income directors of corporations to refrain from distributing earnings in order to avoid surtaxes. Every major income tax law since the first one (has attempted to thwart such avoidance) . . . but it is conceded that satisfactory results can never be secured as long as the law contains provisions that make it highly profitable, easy, and often legal, to avoid high surtaxes.¹

One of the main purposes in the 1936 tax on undistributed corporation surpluses was to make it less profitable to withhold dividends and add to surplus. A brief glance at the table below reveals the technique used to plug this loop-hole.

¹Blakey, Roy G. and Gladys, "Revenue Act of 1936," *The American Economic Review*, Vol. XXVI, No. 3, pp. 479-80.

CORPORATION TAX OF 1936²

| CORPORATE INCOME TAX | UNDIVIDED PROFITS TAX |
|----------------------------------|--|
| 8% of first \$2,000 of income | 7% of the first 10% of the amount of income retained |
| 11% of next \$13,000 of income | 12% of next 10% of income retained |
| 13% of next \$25,000 of income | 17% of next 20% of income retained |
| 15% of all income above \$40,000 | 22% of next 20% of income retained |
| | 27% of the amount of income retained in excess of 60% of total income. |

By way of interpretation, we may say that the tax rates indicated in the left hand side constitute a mildly graduated normal tax on all corporation net income whether distributed or not. The rates on the right act as a sort of super-tax but are applied only to corporate net earnings not distributed.

While the primary purpose of the new tax is increased revenue, a secondary purpose is the use of the taxing power to coerce corporations to distribute in dividends all net income not imperatively needed by the corporation. What effect will this tax have upon the future stability of corporations in particular, and upon the stability of business in general? The tax has not been in effect long enough to make possible a competent appraisal on the basis of experience. It, therefore, devolves upon the student of economic theory to make an impartial appraisal and indicate in advance of experience what may be logically expected from the use of such a tax. In making this appraisal, it seems expedient to center the discussion around the issues as stated below.

ISSUES

1. *Will the tax promote monopoly?*
2. *Does it substitute government control for the seasoned judgment of boards of directors?*
3. *Will it accentuate booms and depressions?*

1. *Will the new tax foster monopoly, i.e., will it tend to weaken the weak and strengthen the strong?* Only time and experience can give a definitive answer to this question. Yet, it would seem reasonable to suppose that the mature and strongest corporations, well fortified as to surplus and reserves, would

²Tax Policy League, *Tax Bits*, Vol. III, No. 9, p. 4.

not be affected adversely, since they could avoid the super-tax by distributing all earnings in dividends. The younger and weaker corporations, on the other hand, must add to surplus and reserves if they are to become strong, yet to the extent that they add to surplus, they suffer the penalty of increased taxation. When a similar tax was proposed in 1920, Professor Bullock of Harvard University said:

If you want to get up a system of taxation that is going to bear with the greatest possible hardship upon growing, successful, young industries, you will adopt such a system as that . . . If you want to find a tax that will tend to entrench in its dominant position a monopolistic or quasi-monopolistic large industry, you cannot devise a better tax.³

This is the statement of a great economist, keenly opposed to the development of monopolies. Although the proposal of 1920 was somewhat different from the present law, the principle is the same and his words should be pondered with care.

On the other hand, Mr. Helvering, Commissioner of Internal Revenue, reminds us that the new law carries abundant protection for the weak, because "first, the tax involves no new taxation whatever on existing surpluses. Second. . . all the liberal provisions of the old law, for the deduction of ordinary operating revenues, such as those for depreciation, depletion, obsolescence, bad debts, and the like" remain unchanged.⁴ In proof of the liberality of these deductions, we find that over sixteen billion dollars were allowed to corporations for depreciation and depletion during the years 1930-33, which sum was equal to 49.9% of the statutory net income reported. Furthermore, the tax on undivided surpluses is mildly graduated and very low for the lower brackets, so that weak companies with small net income would be taxed very lightly.

All things considered, it seems doubtful that the tax will be a very potent factor, either in weakening the weak or in strengthening the strong. Granting such a possibility, however, we must not allow our sympathy for the weak to carry us too far. From the standpoint of scientific economic theory it may be said that we sometimes allow ourselves to become overzealous for the preservation of the weak. Usually firms are weak because their costs are high, yet being forced by com-

³Proceedings of the National Tax Association, 1920, pp. 268-71.

⁴House Hearings on Revenue Act of 1936, p. 22.

petition to sell a standardized commodity at the same price as that set by efficient, low cost firms, they lose money. It is unsound economics to favor the weak and penalize the strong in order to equalize competition if such tactics rob the consumer of an inherent right to buy goods at prices set by efficient production. In striving to levy taxes according to the principle of ability to pay, we should be careful not to force the consumer to cover the excessively high costs of sub-marginal firms. Sub-marginal firms should be on the way out, and the efficient firms should not be taxed in such a manner as to destroy their superior margin of efficiency.

2. *Will the taxation of undistributed corporation surpluses substitute government control for the seasoned judgment of corporation boards of directors?* Beyond doubt, all surpluses and dividend decisions made by corporation directors are made in the light of existing tax laws. The current issue is, does the new tax *impel*, if not *compel*, directors to make decisions and follow policies detrimental to the long-time success of the corporation and the general welfare? The opponents of the act have contended that the tax puts a special premium on distribution, or a special penalty on retention; that it virtually forces directors to *distribute* when prudence calls for *retention*. With the risks inherent in modern business, due to competition, war, business cycles, changes of fashion, and technological improvements, no one knows what exigencies corporations may be called upon to meet. Safety calls for heavy cushioning to absorb the shocks,—more cushioning than may be provided with the government paying a bonus for distribution.

The proponents of the act maintain that it was the *old* law which entered the council chambers and impelled directors to make unwise decisions. It levied a fine on rich stockholders every time they voted for dividends instead of for increased surplus.

In the light of the study made in the preparation of this paper, the writer is persuaded that the new law involves less governmental intervention into corporation dividend policies than the old law. Yet, the new law does involve government intervention, and it intervenes by rewarding distribution, and penalizing retention. Such was clearly the intention of the framers of the act, because they believed in the "over-saving" theory of the business cycle which will be discussed presently.

Is it possible to write a corporation income tax law in such way as to put corporation directors in a neutral position? Two possibilities call for consideration. First, we could treat corporations exactly as we do individuals; we could provide for the proper deductions and exemptions, then apply the normal tax and the graduated surtax to the entire net income, regardless of retention or distribution. The tax would be no more if profits were retained, no less if distributed.

The difficulty arises in its application to the corporations themselves in their inter-competitive relationships. The corporations with large incomes would pay a much higher tax, both absolutely and relatively, than competitors doing business on a smaller scale. Yet, the unit costs in a small plant may be no higher than in a large one. Large corporations insist that unit costs of production are not in inverse proportion to the size of the producing unit. It is for this reason that larger corporations have fought, tooth and claw, in season and out of season, for a flat tax on corporation earnings, and very grudgingly accepted the mild graduation placed in the 1934 tax law. In attempting to remove government from the council chambers and create justice between corporate and non-corporate enterprises, we inject, in some instances at least, a decided inequity amongst competitive corporations themselves.

A word further, however, may be said in defense of such a tax. We are troubled at times by sheer bigness; by corporations large enough to dominate the field; large enough to hold smaller firms in line with respect to output and price. Since we are learning from the studies made of monopolistic competition by Chamberlin, Burns, Robinson, and others that competitive price tends to be the same as monopoly price wherever we find one or more industries in a field large enough to "have significance" with respect to supply; that true competitive price cannot be achieved until all units in the field have been reduced in size below the point of significance; then we may be justified in levying taxes on corporations in such a way as to penalize bigness *per se*. It is quite probable that a properly graduated tax on corporation incomes would not seriously violate, in most instances, the principle of "ability to pay," and even if it did operate to break up some of our

largest corporations into smaller units, it would strengthen the workings of the automatic forces under competitive capitalism.

Professor Fred R. Fairchild^a of Yale University presents a second alternative, designed to remove the government from the deliberations of corporation directors. He proposes that we tax and tax only the undistributed income left with the corporation, and tax the distributed income through the personal income tax, letting the tax apply in each instance to whatever bracket in which the income fell. If this were done, and if the surtax rates were about the same for undistributed corporation income as on distributed personal income, then again directors would be inclined to retain profits as needed by the corporation, rather than as a means of tax avoidance.

This is an interesting proposal, but it presents two difficulties. First, unless the graduated tax on the undistributed part is approximately the same as that applying to personal incomes for the distributed part, there would be a tendency to keep the profits with the corporation where the rates were lower. But if the surtaxes on the undistributed income were made high enough to remove that inducement, then we are up against the weakness cited above, namely, a tax which bears more heavily on large corporations needing large surpluses, than smaller corporations, needing smaller surpluses. Professor Fairchild recognizes this difficulty, and recommends that the undistributed profits be taxed "at a reasonably flat rate." "It is not quite so perfect an adjustment, but I think it has the advantage of being more practical."^b

These are the two alternatives which need to be given serious consideration, and the tax experts will have to decide which is preferable, all things considered. But such an analysis reveals glaring weaknesses in the present corporation tax set-up. We first tax at the source, by applying a graduated tax to the entire net income of corporations. We then tax again as personal income all dividends received by stockholders. Then, because the personal income tax rates are higher than corporation rates, we apply higher tax rates to the undistributed portion. As now standing, the tax on corporation net earnings reveals two major weaknesses. It involves double taxation on a vast scale, and it penalizes retention of funds

^aRevenue Act of 1936, Hearings in the Senate, pp. 205-6.

^b*Ibid.*, p. 210.

for surplus account. The government is back in the Directors' meeting, and this time it is casting a strong vote for a small surplus and high dividends, whether such a policy is wise or not.

3. *The final issue. Will the taxation of undistributed surpluses accentuate booms and depressions?* Here we meet with a clash of opposing forces, some working for greater stability, and some making for greater instability. The ultimate answer can be found only in the light of experience. By way of forecast, we can only weigh the evidence and arrive at a tentative judgment.

The first and most obvious observation is that since the law is so designed as to reward distribution and penalize retention, most corporations will declare higher dividends during the prosperity phase and enter the depression with smaller surpluses. The smaller the surplus account, the quicker will corporations succumb to adverse conditions. Hence, depressions will be accentuated by liquidations, receiverships, and bankruptcies. The boom will be boomed by high dividends, because it is a matter of record that high dividends declared boost the market price more than an increase of book value by additions to surplus.

Expressing a contrary opinion, Herman Oliphant, General Counsel for the Treasury Department, remarked that the above may be the *obvious* result, but

As a matter of fact, common sense may be relied upon to establish just the contrary conclusion. The greater probability is that booms and depressions would be reduced rather than increased in severity as a result of the proposed new tax.

During the "twenties" the practice of reinvesting a large proportion of corporate earnings led to three notable developments. First, there occurred an excessive expansion of plant and equipment in certain industries, notably in some branches of the building industry. Second, there took place an accumulation of idle surplus funds in the hands of corporations, which reduced the purchasing power necessary to maintain a smooth flow of industrial products. Finally, there was a great increase in corporate loans to the stock market, these loans serving to augment speculation. . . .

A wider distribution of corporation earnings during this period, in place of so large a volume of reinvestment of earnings, would have served to reduce the force of each of these three causes of over-expansion

and speculation. Moreover, to the extent to which additional dividends were spent for consumer's goods, wholesome industrial activity would have been more amply sustained.⁷

A similar conclusion was reached by Professor Moulton in the Brookings study of capital formation. He tells us that he made no attempt to relate his study to business cycles, but to the more general problem of business disequilibrium. In studying the course of business during the decade of the "twenties" he found that in the years 1923 and 1924 the savings available for new investment were around 8 or 9 billion dollars, which were profitably absorbed without any evident cumulation of stresses. But when in 1928 and 1929, 15 or 16 billion dollars in savings were available for new investment the stresses cumulated rapidly. Furthermore, according to his analysis, savings on such a scale were bound to create stresses, no matter how they were invested, and a crisis was inevitable in the very nature of the situation. When excess savings are used for the expansion of capital equipment, more goods are produced than can be sold profitably and a crisis comes from a glut in the commodity market.

On the other hand, if only the normal amount of savings are invested in capital equipment, and the remainder finds its way into the securities market, the result is competitive bidding for securities already issued, so that prices are carried too high for earnings and dividends to sustain. Then the crisis comes from a crash in Wall Street. Again, if the surplus funds are loaned abroad to finance exports, the crisis would logically come when the loans began to be paid off through an unfavorable balance in trade, or when it became obvious that the loans never would be paid. No matter what channel the investment funds take, prosperity would come to an end and a crisis break if too high a per cent of the national dividend went into savings and investment channels and too little went into consumption channels. Such is the inference to be made from the Brookings study.⁸

If Moulton's views are correct, then business would be more stable if a larger share of corporate earnings were distributed in dividends, and a smaller share retained as surplus, for reliable figures show that a higher per cent of the funds going

⁷Senate Hearings, p. 927.

⁸Moulton, H. G., *The Formation of Capital*, pp. 142-46, also *Income and Economic Progress*, pp. 44-46.

to stockholders in the form of dividends find their way into the market as a demand for consumption goods than do the earnings retained by corporations to increase surplus.

A very pertinent criticism of this theory is given by Raymond T. Bye of the University of Pennsylvania. In criticism of the position taken by Moulton in "The Formation of Capital" Bye states that Moulton seems to have forgotten the fundamental theory of value and price; that after all, interest is the price paid for capital; that saving is stimulated by a high rate of interest, and retarded by a low rate of interest; consequently, there cannot be, for any extended period of time, "over-saving," for such conduct would lead to an over-supply of loanable funds, which in turn would lead to a fall in the interest rate (the price of capital), which in turn would weaken the inducement to save and thereby reduce the supply of loanable funds until demand and supply were brought into an equilibrium by a proper interest rate or price for capital.

With this classical theory of value and price, through which equilibrium is reached between demand and supply by a flexible price, we are all familiar, and in its fundamental validity we might all concur. Yet, with respect to the savings of corporations, the interest rate is not the only inducement. Boards of directors must and do consider the relative amounts of taxes payable if savings are retained as against the tax if savings are distributed. If the tax on corporate earnings is so levied as to create a special inducement to save over and above the interest rate inducement, then excess saving will result and business instability result therefrom. If the tax on corporate earnings is so levied as to create a special inducement to spend instead of save, over and above the interest rate inducement, then insufficient saving will result and business instability result therefrom.

In the light of fundamental value theory, and in the light of valid business cycle theory, it is highly imperative that the tax on corporation earnings be so levied as neither to encourage nor discourage the distribution of corporate net earnings. The government, by its taxing policy, should not be allowed to sit in at the Directors' meeting and vote either for or against the retention of earnings. The Board of Directors should make this decision on the basis of the need for corporation surplus and possible expansion, the general supply of capital funds, and the rate of interest.

In the light of the study made in the preparation of this paper, the writer believes that the old law operated in such a manner as to stimulate abnormally corporate savings and investment. The result was over-saving in the late 'twenties, contributing to the development of maladjustments along the lines indicated by Oliphant and Moulton.

The present tax, however, moves to the opposite extreme and places a special penalty on saving, or a special reward on distribution. There is a special inducement to place earnings in channels designed to increase spending and decrease saving. The result to be expected is under-saving, inadequate corporation surpluses, and depressions unnecessarily severe because corporations on the average will not provide themselves with sufficient cushioning to absorb the shocks.

Since, as we believe, the old tax stimulated over-saving and the present tax stimulates over-spending, then a revision is needed which would make distribution or retention a matter of indifference to the directors so far as the individual tax burden is concerned. The ideal cannot be achieved, but if the capital stock tax, the excess profits tax, and the normal corporation tax were repealed, and a graduated tax on undistributed net earnings were so levied as to approximate, by and large, and on the average, the same rates as would apply to the distributed earnings when taxed as personal income, then booms and depressions would not be intensified by unscientific taxation designed to promote either saving or spending. If Congress would revise the tax law along the lines indicated by Professor Fairchild, then the tax would be neutral with respect to capital formation, and the interest rate would tend to function along the lines indicated by Professor Bye.

FINANCING FARM OWNERSHIP THROUGH PAYMENT IN KIND

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In presuming to write a paper on such a subject as indicated in the title, I fully appreciate that the material may not be as applicable to the young tenants of the South as it is in some other areas. On the other hand, so far as I know, it is true that this very method of dealing with a difficult problem is being more widely used in certain parts of the South than in any other area. It is also true that it is particularly adapted to cash-crop farming regions, where those crops have well recognized grades and standards and well-known market values. The difficulty probably lies in the character of the tenant population from which must come those who may be able to utilize this particular procedure in achieving owner operatorship.

We are all aware of the present intense wave of interest in the land tenure problem. A number of forces have combined to generate this unusual interest. We have had a gradual increase in tenancy for a great many years, but when we reach a point where in our best agricultural regions outside the Cotton Belt more than half the farms are being operated by tenants where once ownership was the rule, we can more easily understand the reason for the greatly increased interest in the subject.

In the past few years we have seen a reversal of movement of farmers on the agricultural ladder. Instead of climbing upward from a farm laborer to owner, we find owners climbing downward to the tenant's position and sometimes to the laborer's position. A large number have actually done this. In addition, we find within the last few years an increased reluctance of the young man even to start climbing the agricultural ladder. So that instead of our good young men possessing courage, industry, skill, and ambition looking toward ownership and climbing with assurance toward the security and satisfaction of a farm home of their own, we now find middle-aged or old men, with morale largely broken, moving down the ladder toward a tenant's position or that of a day laborer. This is certainly a disturbing picture.

Young men are observing that it is less and less certain that savings accumulated in the form of equity in a farm may be secure for later years. They too frequently observe the complete loss of these savings. While a number of farmers have been able to make reasonable earnings through recent years of price disaster, drouth and floods, the prevailing observation has certainly been unfavorable in encouraging these young men to have confidence in a farmer's ability to move steadily toward complete owner-operator status, eventually free of threatening debt. They have seen too many cases of loss of equity and a precipitate retreat to a tenant's or laborer's status at a time in the victim's life, when another ascent of the ladder is well nigh impossible.

Another disturbing feature is that there are many additional owners in imminent danger of losing their status as owners. Liquidation of debts contracted in more prosperous times has not yet been completed, and lenders are much less certain that they may lean on the prospect for increased land values to make secure credit extensions which are now distinctly shaky.

A further observation is that we have found very few cases in the last decade or two where tenants have actually achieved ownership. On the other hand, we have many instances where tenants deliberately refused to assume the responsibility of ownership because they, like young men just beginning, have lost confidence in land as a means of preserving whatever savings they may make.

Another factor which has undoubtedly contributed is the great public interest in that part of our population which is unable to enjoy the so-called American standard of living. A great many of our farm tenants and less fortunate owner operators fall in this class.

We are deeply conscious of the necessity for revising our land policy, or perhaps we might say establishing a new one. This is directly related to the tenure question. We have really never had a land policy which even claimed to be adequate to take care of the new set of circumstances in which we find agriculture today. New lands well adapted to agriculture have long been out of the picture. The passing of aggressive foreign markets and the subsequent establishing of a different price status have made obsolete the former alignment of forces determining rent income and consequently land values. It is

quite evident to us all that without unusually favorable price relationships and with lands distinctly poorer in productive capacity we cannot have the former value standards, nor can we have the same tenant-landlord relationships. There are innumerable acres which once supported a tenant and his landlord which now cannot possibly do so. It is true that in these areas the percentage of tenants was never unusually high, but it is true that those tenants once there, are for the most part still there trying to pay rents which were established by custom many years ago. With the decreased productivity of these lands the tenants find it impossible to pay former customary rents and have any kind of a living standard for themselves. Many of these lands have actually passed into the no-rent class. There is a stubborn resistance against recognizing that much of this land which was once super-marginal is actually now at or below the margin for any reasonable or probable price level and for any immediately practicable system of farming. In my own state we have millions of acres involving thousands of tenants where it is a physical impossibility for a tenant to enjoy the so-called American living standard let alone pay rent to a landlord.

We recognize that tenancy will continue to play an important part under either private or public ownership. This at once suggests that we should not overlook the possibility of improving the status of tenants. In addition to the fact that there is a minimum productivity of land below which tenancy with an American living standard is impossible, there are some other things that can be done to improve the tenant's status on the better lands. I will only mention them at this point. First, certainly better contracts with more equitable terms are a possibility. Rent terms have not been adjusted to decreased land productivity to the extent compatible with that decreased productivity. Again in most cases inadequate protection has been extended to the tenant for improvements made. Many tenants in our best regions have openly confessed that they refrain from improving the productivity of a farm, because it will only result in having their rent raised or in their having to move because competitive bidders covet this improved farm.

Furthermore, inadequate protection has been extended to the owner in cases where tenants are unreasonably depleting a farm of its productivity. Legal processes are too slow to

work in permitting owners to reposses properties being unreasonably exploited. Finally, inadequate non-disturbance protection is afforded tenants for constructive improvement policies. If penalties for disturbance were sufficiently severe, good tenants would be permitted to remain on a farm much longer and thereby be enabled to enjoy the benefits of improving that farm.

So much for the tenant aspects of the problem of land policy. We must now turn our attention to some needed improvements in circumstances which will encourage ownership and make it more attractive for beginners to strive for ownership. It seems there are some very definite needs in connection with the developing of such a policy. First and foremost must be placed the need for a stabilized price level. Along with all of its other advantages, that of security of savings invested in farm land must be of major significance. This is probably the greatest single need. There is no complete substitute for the service which a stabilized price level would render. Achieving price stabilization is by no means simple, and those who have studied the problem for many years are not yet sure that we have a workable means of accomplishing this task.

On top of this difficulty stands the fact that a great many people, one might safely say a majority, are actually unwilling to have prices stabilized because at heart most of us are speculators and are reluctant to see this possibility removed. These important difficulties would lead us to conclude that price stabilization is not in immediate prospect. Therefore, anything which can be done in the meantime to encourage young men again to attempt the acquirement of farm ownership should be a contribution.

At this point it might be suggested, in connection with price stabilization, that it would seem to be desirable and necessary to establish or maintain such a situation that confidence in farm land as a safe place to put savings must be restored. This is essential for at least two reasons: first, non-agricultural savings are needed in helping to finance agricultural production; second, national unity of interest is promoted by having a capital interest in agriculture on the part of non-agricultural people.

The proposal to extend to the farm land field and in a broader way than it has been heretofore applied the practice

of purchasing properties with almost no down payment seems to contain some helpful features which promise to facilitate the accomplishing of the objective of helping young men to become farm owners. The prospective land purchaser at the present time faces two serious difficulties, namely, the difficulty of making an adequate down payment in money; and second, the uncertainty that he will be able to continue subsequent payments and thus remain in possession and make more certain the security of payments previously made. We already well know that too many farm purchases have been made with down payments representing such a large per cent of the buyer's total cash and credit resources that he has no reserve left to carry on farming operations and meet such crises as adverse seasons or unfavorable price level movements.

The plan of commodity payment on the entire principal out of current earnings toward ultimate ownership is one not entirely unlike that which has long been used in the purchase of city property and the buying of such durable goods as automobiles, refrigerators, and household furniture of all kinds. It is used in such important savings mechanisms as the purchase of building and loan stock, endowment policies, retirement annuities, etc. It is actually used in the purchase of farms in many individual cases. Continued study of this problem and its application to the purchase of a farm gives greater and greater assurance that it is practicable, and that it will accomplish a great deal in the way of encouraging young men to become owner-operators through making effective, to a degree, the principle of price stabilization.

The mechanics of the problem seem to include the sale of the farm by a contract with little or no down payment. The contract calls for an annual payment, by the purchaser, of a constant quantity of product or its money equivalent at the time the payment is due. This annual payment must of course include interest, carrying charges, and amortization of the principal. The payment may be in one product or a combination of products. For practical purposes the products concerned must be easily graded and have generally well recognized market values. For practical purposes also the annual payments must of course be somewhat larger than the customary rent charge. The attached table illustrates this procedure. The number of years such payments are to run

will of course be determined by the amount, in excess of customary rent rates, the purchaser agrees to pay toward the liquidation of the principal. With some of our products hedging could be utilized by both buyer and seller. This might conceivably be of considerable advantage.¹

We might briefly list some of the gains of such a proposal and also some of the defects. First, what are the advantages to a purchaser of such a procedure. One undoubtedly is that he gets around the down-payment difficulty and has his resources left unincumbered. This permits him to tackle his problem of operating the farm with full equipment and with some credit reserve in case of failure of a part of his calculations. He can thus weather a season or more of unfavorable circumstances. Again this young man can assume the status of an owner at 25 or 30 years of age rather than wait until he is 40 or 50. This gives him the most active period of his life to improve the farm that he can reasonably expect to own completely by the time he has reached an age when nature says "slow down." Third, he has eliminated fluctuations of the price level so far as his payments on the farm go. He has shifted this to the shoulders of the seller. He knows that each year for the next 30 years, or whatever the period of payment is, so many bales of cotton, so many bushels of corn, or wheat, or whatever product or combination of products may be specified in the contract, will take care of his annual payments, regardless of what happens to prices. He knows that any increase in productivity of the land will accrue to his benefit. If a drop in the price level should occur he knows payments of interest and principal on the mortgage will not be thereby increased.

From the standpoint of the seller, he has shifted the problems connected with the payment of taxes, insurance, maintenance, repair, and upkeep of the farm and its improvements to the shoulders of the buyer. He has the additional assurance that the buyer under falling price conditions is much less likely to be discouraged over the annual payments necessary. Consequently, the property is less likely to be turned back to him after a few years of desperate depleting operation, and at a time when he, the seller, may be in no position to assume operating responsibilities. The seller has another assurance which may be quite important. He knows that

¹See Missouri Agricultural Experiment Station bulletin 378.

TABLE I.—ILLUSTRATION OF ONE POSSIBLE METHOD OF
COMPUTING ANNUAL PAYMENTS TO AMORTIZE
PRODUCTIVE VALUE OF A FARM.²

| Land Classifications | Acres | Gross Rent Income | Conversion Factor | Corn Equivalent Value (in bu.) |
|---|----------------------------|-------------------|-------------------|--------------------------------|
| Intertilled Crops, Corn | 40 | 480 (at 2/5 rent) | 1.00 | 480 |
| Small Grain, Wheat | 40 | 200 (at 1/3 rent) | 1.04 | 223 |
| Meadow (rotation) | 20 | 10T (at 1/2 rent) | .60 | 214 |
| Permanent Open Pasture | 40 | 960 cow days | | |
| Woods Pasture | 14 | 140 cow days | .175 | 192 |
| Building Block and Waste (annual use value) | 6 | \$120.00 | | 200 |
| Total | 160 | | | 1309 |
| Less Taxes and Upkeep at 3 bushels per acre | | | | 480 |
| Net Corn Equivalent Rent Value | | | | 829 bu. |
| Corn Equivalent Value of Farm Capitalized at 6% | | | 13,816 bushels | |
| Corn Equivalent Value of Farm Capitalized at 4% | | | 20,725 bushels | |
| Annual Payment Needed to Amortize (in bushels) | Number of Payments (years) | | | |
| | 25 | 30 | 40 | 50 |
| At 6% | 1,080.8 | 1,003.7 | 918.2 | 876.5 |
| At 4% | 1,326.6 | 1,198.5 | 1,047.1 | 964.7 |

²Table taken from Mo. Experiment Station Bulletin 378.

³In the above illustration the land classification used is typical of the distribution of acreage for much of our medium grade agricultural land. Gross rent income for harvested crops is the most customary rate used in Missouri for land of this grade. The rent income for pasture land is converted to corn equivalent and to cow days for the most customary cash rent rate for this quality of pasture, using a corn equivalent factor of 9.8 pounds of corn equivalent per cow day. The rent income for building block is the estimated use value converted to corn equivalent on the basis of the most customary rent allowance for a farm of this quality, and a 60 cents per bushel allowance for corn. The conversion factor to corn equivalent is based entirely on the net energy equivalent evaluation of the different crops. The tax and upkeep charge is also converted to bushels of corn from the dollar cost for taxes and upkeep taken from representative farm cost records for this quality of land.

Attention is called to the results from computing the amortization rate for 25, 30, 40 and 50 year periods. Using a capitalization rate of 6 per cent and a 50 year period for amortizing the productive value of the farm, the operator would have to pay only 47.5 bushels of corn or its equivalent above the net rent value to become complete owner of the land in 50 years. On a 4 per cent basis he would have to pay 135 bushels per year above the net rent value. On a 30 year basis at a 6 per cent capitalization rate he would have to pay 174.7 bushels above the net rent rate to own the farm in thirty years. This would have to come from his share of the crops or from

the capital value of the farm sold plus interest on the decreasing capital sum will come to him in annual payments for the period specified. Thus he does not have to seek new investments at a time of life when he may be mentally and physically less able to discover and safeguard such new investments. He is in the position of one who purchases an annuity with a single premium payment.

The objections to such a plan are chiefly those involved in any objections to a stabilized price level. It is true that the seller cannot tell when he makes such a contract just what the total income may be, nor can the buyer be certain of the total amount of dollar payment. Both must depend on the price level at the assumed base period being representative of prices for the years involved in the contract. As we develop stabilizing mechanisms these uncertainties will become of less significance.

There are undoubtedly some legal and some statistical difficulties not here included, but we see no fundamental reason why these should be regarded as insurmountable. There are questions involved in the inheritance of such contracts or in rights involved in repossession by the seller. These do not seem to be insoluble. Very likely a probationary period would be desirable from the standpoint of both parties. This might involve the payment of normal rents for that time, and the agreement to follow a rather definite conservative farming system. After that time, with certain obvious safeguards, the payments could begin and the purchaser left largely to his own resources. Mutual esteem and confidence would be essential.

Some very obvious gains may be discerned. The first undoubtedly is that the risk is divided between seller and buyer, the seller assuming risk of price level change and the buyer assuming the risk of crop failure in adverse seasons along with responsibility for taxes, insurance, and upkeep of property. A distinct gain is that going with the assumption of ownership by the buyer at a very early age. He knows that if he does his job reasonably well this is his permanent home, and he can improve his farm, his home and its surroundings,

his income from livestock operations. Few farmers could spare the excess charge over net rent to amortize the principal in 25 years; but 30 annual payments or more are readily within reach of most good operators on a reasonable sized farm.

and take his place in the community as a permanent resident. If the buyer happens to be a son of the seller, he has been saved the necessity of buying out the other heirs' interests in the farm. Their interest is confined to a share in the sale contract in case the father should die before the contract is completed.

It is recognized that such a procedure would be difficult to adapt in case the seller's land is encumbered with a mortgage, or in case he needs immediate cash for some other purpose. It is also recognized that receipt of the annual payment in product might call for some servicing expenses. If this payment is in cash equivalent value the service charge would be reduced. It is not clear that such a servicing expense need by any greater, if indeed as great, as the servicing charge in connection with the management and renting of repossessed properties. It is also recognized that such a procedure might be more readily adapted to agencies like a large insurance company, the Resettlement Administration, or the Farm Credit Administration, where immediate cash in the amount of the consideration is not required. One large insurance company is using this plan and, according to one authority, is using it quite successfully. Most other cases of which we have been able to learn are individual cases. Governor Myers of the Farm Credit Administration has expressed unwillingness for the Land Banks to assume such a policy because of administrative expenses involved. This does not seem to be as serious an objection as one might suppose.

There are undoubtedly a great many aspects which have not here been covered, but time does not permit further detailed consideration. It does seem quite clear that in certain cases such a procedure is admirably adapted, and would provide a mechanism which would tend to encourage earlier ownership by our younger men. It would not close present avenues involving a dollar consideration. It would simply serve as an additional mechanism.

AN INSTRUMENT FOR THE MEASUREMENT OF NEIGHBORHOOD WITH EXPERIMENTAL APPLICATIONS¹

JESSIE BERNARD

Among the most interesting discoveries in modern sociology are those associated with the patterning of various social phenomena as they distribute themselves over natural areas, especially urban areas. Delinquency, insanity, disorganization, suicide, and family type are among the social forms which have been found to show distinct and characteristic spatial distributions in large cities. The present study deals with the same general problem, that is, the ecological pattern of social phenomena, but refers to a relatively normal social form, namely to neighborhood,² conceived as a primary-group relationship. The theoretical and psychological significance of the neighborhood as a primary group, its role in personality development, and its function in social organization need not be elaborated here. Cooley's discussion of these points still remains classical. He pointed out that the neighborhood, along with the family and the play group, constituted one of the most important primary groups and therefore one of the most important factors in personality growth. In the present study, however, this aspect of the problem was simply taken for granted. The emphasis was upon the factors which influence this social form rather than upon its influence upon personality. In general, the question raised was this: does neighborhood, in terms of the number of neighborhood folkways practiced, show a spatial distribution comparable or analogous to that of other social forms. In the course of the analysis, non-ecological factors had to be considered also, since no social form is so simple as to be definitively determined by spatial factors alone. The results of the present study show that neighborhood, defined and measured in terms of the number of neighborhood folkways practiced, does have a definite spatial distribution in a large city, the nature of the distri-

¹This study was made under the direction of Dr. S. A. Queen of Washington University, and I wish hereby to express my appreciation for the many valuable suggestions and for the enthusiastic cooperation offered by him.

²In this abstract use of the term neighborhood, it is analogous to such expressions as brotherhood, fatherhood, parenthood, etc.

bution being a function of such non-ecological items as the presence of children, home ownership, and other factors, to be considered below.

The method used in determining the distribution of neighborhood folkways belongs in the general field of sociometrics, a new and rapidly rising province of sociology, whose aim is to invent measuring instruments and techniques and apply them to the complex data of social life, thereby simplifying them and rendering them amenable to scientific treatment. As applied to the present project, this involved the creation of an instrument to measure the variable "neighborhood", and its application to a number of urban samples. The first of these tasks was relatively simple, since standardized procedures for the creation of measuring instruments have been worked out in some detail in psychometrics and can, with minor adaptations, be applied in the cognate field of sociometrics. The method used and the instrument which resulted are presented in Appendix A.

The second problem, that of applying the instrument once it was created, was much more difficult. The original intention was to attempt to secure a random sample from the metropolitan area of St. Louis, but this was only partially realized. The final sample of 625 cases represented a mosaic of smaller sub-samples secured in various ways,—through students, friends, social workers, clubs, and by orthodox methods of random sampling.³ There is no definitive way of determining the exact extent of the bias introduced into the sample by the methods used, except that analysis indicates cases secured through local clubs and perhaps through children tend to be selected on the basis of the variable under consideration. All the cases in the present study, it should be added, were married women. Men and unmarried women were omitted in order to hold as many factors constant as possible.

³Census tracts were selected at random (shuffled slips). Two blocks were selected in these tracts, and four women were chosen in these blocks. A probable bias may have been introduced by the fact that in some instances the women were not home, were ill, busy, or refused to answer the questions. There was no case, however, where refusal to answer occurred after the project had been explained. Nevertheless, refusal to cooperate might itself be a biasing factor in neighborhood. A bias in favor of those who practice neighborhood folkways was thus almost inevitable. In recognition of the heterogeneous nature of the sample, the sub-samples were analyzed separately.

For this heterogenous sample of 625 cases a distinctly bi-modal distribution of the variable "neighborhood" appeared, with peaks at scores one and eight.⁴ This bi-modality remained even when cases from samples with a probable bias,—those secured through neighborhood organizations,—were omitted, although the relative size of the second mode was considerably decreased. The indication is that there are present in the total conglomerate sample two types of persons, those, that is, who practice many, and those who practice few of the neighborhood folkways called for in the instrument.

Interestingly enough, the two types are easily separable on the basis of spatial factors. All the sub-samples show only one mode; each one however has a characteristic pattern. A rooming house area, for example, shows a mode at a score of zero. Most of these cases, that is, do not practice even one of the neighborhood folkways asked for in the instrument. Contrasted with this is the distribution in an Italian area of second settlement, "Dago Hill", in which the mode is at eight. An upper middle-class census tract shows a mode at one; a lower class area, at eight. A randomly selected sample from a Negro census tract has a mode of two, whereas a sample of Negroes secured through neighborhood clubs organized by the St. Louis Urban League—and therefore biased in the direction of the variable under consideration—has its mode at eight.⁵ Unselected Negroes, that is to say, showed more similarity to unselected whites than they did to selected Negroes, suggesting that the pattern of relative frequency of practicing the folkways was not a racial but a circumstantial fact. The distribution of the average neighborhood score of forty-three census

⁴Miss Bessie McClenahan, in her study on *The Changing Urban Neighborhood* (Los Angeles, 1929) identified three degrees of neighborhood, namely, participation, limited participation, and non-participation, (pp. 74-75), and it is conceivable that a more accurate instrument might discriminate three types.

⁵It is interesting to note that the relative frequency of practice of any one specific folkway tended to vary from place to place and from group to group, as one might anticipate from the nature of the folkways themselves. In wealthy areas, for example, one would not expect women to take care of one another's children, since there are nurses available for this purpose. It is worth noting, however, that as the average score for a group increased, there was a tendency for the pattern of relative frequency of the items to approach that of the highly selected Negro group secured through the Urban League.

tracts shows a mode at three. Briefly, the number of neighborhood folkways practiced varies according to certain natural areas, being low, for example, in a rooming house district and high in an immigrant area of second settlement, low in an upper middle class region and higher in a lower middle class area, etc.

One of the most striking designs in the patterning of urban phenomena is the gradient outward from the center of the city. Delinquency, home ownership, radio ownership, rentals, and many other phenomena show a regular increase or decrease in rates along certain radii from the center to the periphery of the metropolitan area. Neighborhood, as here defined and measured, did not, however, show this particular pattern. There did not seem to be a gradient in the neighborhood scores. If there is one, too many other factors seem to obscure it.⁶

NON-ECOLOGICAL FACTORS IN NEIGHBORHOOD

Among the non-ecological factors considered in analyzing the relative number of neighborhood folkways practiced were: age, residential stability, local institutional alignments, and a number of miscellaneous non-local items such as the presence in the neighborhood of a best friend, home ownership, the presence of children, and an abstract psychological factor which for lack of a better term might be called "choice."⁷

Age: In the present samples there did not seem to be any consistent relationship between neighborhood, as here measured, and age, the coefficients of correlation ranging from -.20 to .61 in different samples. A minute analysis of each item according to its relative frequency by age groupings shows that the very young and the very old women might possibly be discriminated against by the instrument, the one because of

⁶Perhaps the non-random nature of the sample was an obstructing influence. The product-moment correlation between the means of 37 census tracts and concentric circles as drawn by Professor S. A. Queen (Fletcher, Hornback, and Queen, *Social Statistics of St. Louis by Census Tracts*, St. Louis, 1935, pp. 69-72), was only +.18. A rank correlation between the means of a series of tracts going west in a tier from the river and distance from the river was only +.25.

⁷One of the questions asked was: "Would you rather live in some other neighborhood?" If the answer was "No", the person was credited as living in her present neighborhood from choice. If the answer was "Yes" or "Do not know", the opposite was assumed.

items referring to children and the other because of items referring to parties, picnics, etc. It would perhaps be ideal to make the instrument consist of items which showed no discrimination with respect to age, but if the various folkways which constitute neighborhood are themselves functions of age, this ideal would seem to be unattainable.

Residential Stability: This factor, measured in terms of the number of years the person has lived in her neighborhood, is the reverse of mobility, which has been so carefully studied by sociologists in the past decade. In the present study it appeared that whatever influence stability was to have on neighborhood had already been exerted by about the fifth or sixth year or thereabouts. After that the number of neighborhood folkways practiced did not tend to increase. The exact trend was somewhat obscure, but it was definitely not upward.* The reason for this obscurity may lie in the bi-modality or two-type nature of neighborhood. Those who did not wish to "neighbor" may not have done so, no matter how long they remained in an area, while those who did wish to may have done so fairly soon after moving in. In any event, stability in and of itself could not be said to bear any marked relationship to neighborhood beyond the first few years.

Local Institutional Alignments. The local institutional alignments called for in the instrument were: membership in a local improvement association, in a local Parent-Teacher Association, in a local social club, in a local church club, and attendance at a local church. There appeared to be a tendency for the women who engaged in most primary-group neighborhood activities to participate, or at least to have membership, in

*The data on which these conclusions are based are as follows. The rectilinear correlation in a sample of 101 cases between neighborhood and stability up to ten years was .25. But a free-hand parabola, rising at an angle of approximately 40 degrees to six years and then gently sloping downward, yielded a correlation ratio of .75, and if it remained straight, that is, did not slope downwards at six years, the ratio was .73. In another sample ($N=102$) the rectilinear correlation between neighborhood and stability up to thirty years was zero and the parabolic relationship .20. Using only the first five years, the linear relationship was .38. The conclusion seemed to be that, although the relationship in this sample was slight and perhaps insignificant, a parabola tended to fit better than a straight line and that the main effects of stability were observable in the first few years, as in the previous sample.

most local institutional activities also.⁹ This did not hold for highly homogeneous groups.¹⁰ Comparing the average scores of those who did and did not belong to specific local institutions, it appeared that membership in local church clubs was the most significant single factor.¹¹

Miscellaneous Non-Local Factors. The presence of children seemed to be a significant factor in making for neighborhood contacts, the mean score of women with children (4.4) being almost twice that of the childless women (2.6), and the median (4.7) more than three times (1.4). The age of the children did not seem to be significant. Data to be presented below, however, tend to indicate that the presence of children may be a derivative influence. The average difference in six samples, ranging in size from 24 to 110, between the means of those who did and those who did not have a best friend in their neighborhood was 1.7;¹² between the means of those who did

⁹In a heterogeneous sample of 99 students' mothers the correlation between these two variables was .30; in another sample of 101, it was .57. In a sample of 100 cases taken at random from the total group, the correlation was .54.

¹⁰For example, in the sample from "Dago Hill", the Italian area of second settlement, there did not seem to be any relationship between the number of primary-group folkways practiced and number of institutional contacts.

¹¹The possibility suggested itself that there might be something in the personality that tended to make the individual practice neighborhood folkways and also to attend church. It might be what James called the "tender-minded" type of personality that neighbored. That is, the hypothesis was that religious (in the sense of church-attending) people were more likely than non-religious (i. e., non-church-attending) people to be the type that neighbored. This was tested by comparing the average scores of those who did not attend church at all with those who attended local churches and with those who attended non-local churches. The average score of those who attended non-local churches was the same as that of those who did not attend church at all, whereas that of those who attended local churches was 2.4 points higher. The differentiation was, therefore, not between church-goers and non-church-goers, but between those who attended local churches and all others. The hypothesis, therefore, was wrong.

¹²Although Yule coefficients of association were calculated between each of the items in the instrument and home ownership, presence of a best friend, and choice, not much emphasis was placed on them since the results were very inconsistent. Some, however, were rather interesting. As one might have anticipated, the presence of a best friend was found rather closely associated with having parties or picnics or outings together (coefficient of association, .76), with going to neighbors' homes to visit

and those who did not express themselves as living in their neighborhood by choice,¹² 1.2; and between the means of those who did and those who did not own their own homes, 1.2.¹²

Combined Factors. If, by a process analogous in logic to that of multiple and partial correlation,¹³ we combine four of the most significant factors considered separately above, we get the results shown in Table I, which shows the changes in average scores as different factors were combined in a sample

TABLE I
AVERAGE NEIGHBORHOOD SCORES OF GROUPS WITH SPECIFIED
FACTORS AND COMBINATIONS OF THESE FACTORS
(Selected Negroes Excluded in all
Computations)

| Factor | Number | Mean | Median |
|--|--------|------|--------|
| (1) All Four Factors (Total Sample) | 284 | 4.0 | 4.4 |
| (2) Children | 228 | 4.4 | 4.7 |
| (3) Home Ownership | 145 | 4.6 | 4.8 |
| (4) Best Friend | 166 | 4.8 | 5.7 |
| (5) Local Church Club Membership | 82 | 5.8 | 6.6 |
| (6) Children and Home Ownership | 132 | 4.6 | 5.0 |
| (7) Children and Best Friend | 143 | 5.3 | 5.9 |
| (8) Children and Local Church Club Membership | 74 | 5.7 | 6.5 |
| (9) Home Ownership and Best Friend | 85 | 5.6 | 6.3 |
| (10) Home Ownership and Local Church Club Membership | 87 | 5.9 | 6.7 |
| (11) Best Friend and Local Church Club Membership | 85 | 5.6 | 6.3 |
| (12) Children, Home Ownership, and Best Friend | 87 | 5.8 | 7.1 |
| (13) Children, Home Ownership, and Local Church Club Membership | 53 | 5.9 | 6.8 |
| (14) Children, Best Friend, and Local Church Club Membership | 74 | 5.7 | 6.5 |
| (15) Home Ownership, Best Friend, and Local Church Club Membership | 45 | 7.0 | 7.7 |
| (16) Children, Home Ownership, Best Friend, and Local Church Club Membership | 42 | 7.1 | 8.0 |

(.74), and with having neighbors visit in own home (.70). It was also somewhat associated with chatting (.60) and taking care of one another's children (.57). The factor of choice was most closely associated with the absence of objection to any of the children in the neighborhood (.52), indicating perhaps that neighborhoods might be chosen on the basis of environmental considerations affecting children.

¹³Since this article was written my attention has been called to a very similar method to that used in Table I, presented by Dr. Fisher in his recent book, *Design for Experiment*, Art. 38.

of 284 women. The table is to be read as follows. The mean score of the 284 women was 4.0. If we eliminate those who do not have children, and consider only the women who have children, the mean score becomes 4.4. If we next eliminate those who do not own their own homes, and consider only those who have children and also own their own homes, the mean score becomes 4.6. If now we exclude in addition those who do not have a best friend in their neighborhood, but consider only those who have children and own their homes and have a best friend in the neighborhood, the mean score is 5.8. And, finally, if we exclude all those who do not belong to a local church club, but include only those who have children, own their homes, have a best friend in their neighborhood, and also have membership in a local church club, the mean score is increased to 7.1. Similar analyses may be made by combining other factors. It will be noted that membership in a local church club seemed to add more than any one of the other factors considered. The mere presence of children it would seem, other factors being held constant, was not so important as one might have anticipated. The influence which the presence of children exerted might be said to be due to the concomitant conditions which were associated with having children, such, for example, as home ownership and local church club affiliations and, doubtless, other factors which are not here analyzed.

ECOLOGICAL FACTORS

In all the factors so far analyzed we were dealing with aspects of the subjects themselves,—their age, their stability, their children, etc. In the remainder of this article we shall discuss factors in the environments of the subjects and not in the subjects themselves.¹⁴

If we correlate the average neighborhood score of white census tracts¹⁵ for which there were at least three cases available,¹⁶ with various ecological data we get the results shown in Table II. They require but little explanation. With respect to

¹⁴The ecological data for these analyses were taken from the compilation by census tracts of census and other information by Fletcher, Hornback, and Queen, already cited.

¹⁵Tracts were considered black if fifty percent, or more of the population was colored.

¹⁶Seventy-two tracts out of the total of 128 were represented in the sample, but only 43 of these had at least 3 cases. Six of these were black. The computations therefore are based on 37 tracts.

TABLE II
CORRELATIONS BETWEEN AVERAGE NEIGHBORHOOD SCORES
AND CERTAIN SPECIFIED ECOLOGICAL INDEXES, BY
CENSUS TRACTS

| ECOLOGICAL INDEX | Correlation with Average Neighborhood Score** |
|---|---|
| (1) Density of Population | $-.16 \pm .15*$ |
| (2) Negro Population (percent of total) | $-.19 \pm .14$ |
| (3) Multiple Dwellings (percent of all dwellings) | $-.26 \pm .15$ |
| (4) Percent of Population 65 Years of Age and Over | $-.39 \pm .14$ |
| (5) Median Rental | $-.42 \pm .13†$ |
| (6) Mobility†† | $-.44 \pm .13$ |
| (7) Single-family and Two-family Dwellings (percent of all dwellings) | $+.47 \pm .13$ |
| (8) Percent of All Dwellings Occupied by Owner | $+.52 \pm .11$ |
| (9) Percent of Occupancy of All Residential Units | $+.54 \pm .12$ |
| (10) Percent of Females 15 Years of Age and Over Married†† | $+.56 \pm .11†$ |
| (11) Percent of Population 5 Years of Age and Under†† | $+.61 \pm .10‡$ |

**The theoretical objection to applying the standard error formula to these correlations, based on samples of samples secured in many cases by non-random methods, is fully recognized. The standard error is given merely as a matter of convention.

*Omitting tract 25D, a business area, $r = .32$.

†Omitting 5 tracts with median rentals less than \$25.00 (as of 1930), $r = -.53$.

††The mobility index was taken from Mr. Don Cowgill's careful enumeration of changes in address as between 1931 and 1932, based on the St. Louis city directory.

‡Partialling out factor No. 11, this correlation is reduced to $+.26$.

‡Partialling out factor No. 10, this correlation is reduced to $+.37$.

‡‡Combining factors No. 10 and No. 11, the multiple correlation is $+.66$.

density of population, which Anderson¹⁷ considers to be negatively correlated with neighborhood, the coefficient was low. This was partly due to the presence in the sample of a downtown business tract with very few families. The density of population was, therefore, low, but so also was neighborhood.

¹⁷Nels Anderson, "Neighborhood", *Encyclopaedia of the Social Sciences*, XI: 356-57.

If this tract is omitted, the correlation coefficient is doubled, but even so it is not high. If suburban areas had been included it might have been somewhat higher.

From experience in interviewing subjects in the field, a higher negative correlation between neighborhood and Negro population was anticipated than was actually found. The low coefficient can be explained by an examination of the scatter diagram which reveals the fact that 30 out of the 37 census tracts studied had less than five percent Negro population. None of the remaining seven tracts had an average score of more than five.

Dwellers in apartment house areas, as indicated by coefficient number 3 in Table II, tend to practice fewer neighborhood folkways than dwellers in areas of single or double houses (coefficient number 7).

Coefficient number 4 at first appears to contradict a finding presented in an earlier section on the relationship of neighborhood to age. Here, however, we are not dealing with the age of the subjects but with the age of the people in their environment. As the number of old people in a tract increased there was a tendency for the average neighborhood score to decrease, regardless, apparently, of the age of the subjects themselves.

The coefficient referring to median rental is the first one in the series with a critical ratio greater than three. It is significant as it stands, but if the five lowest rental tracts are omitted, the coefficient is increased eleven points. The implication is that below \$25.00 (as of 1930), lowering the median rental does not tend to increase the average neighborhood score. In the poorest districts neighborhood may be high or low, according to individual peculiarities of the tract. Here again the down-town business tract illustrates what is meant. The median rental is low, but so also is neighborhood, since it is largely a business area. The generalization with respect to median rental must, therefore, be somewhat qualified.

Although the negative relationship between average neighborhood score and mobility is one that might have been anticipated, yet it seems to contradict earlier findings with respect to stability of the subjects. It would appear that the average neighborhood score tends to increase as mobility decreases in spite of the fact that the relationship between neighborhood score of individuals and residential stability was

not great. This suggests the conclusion that the stability of the neighborhood as a whole is more important than the stability of any one individual in determining her neighborhood score.

Coefficient number eight is in line with what one would expect. As the percentage of home-owners who live in their own homes increases, the average neighborhood score increases also. This is related to items 6 and 7, which have already been discussed.¹⁸

Item number 9 indicates that as people begin to flee from a neighborhood for whatever reason, leaving a large percentage of the residential units vacant or unoccupied, the average neighborhood score tends to decrease. Of course the lowering neighborhood score is due to the same thing that is causing the flight and is not a result of the vacancies themselves. Both are symptoms of the same thing.

Coefficients 10 and 11 require some explanation. The surprisingly high correlation between average neighborhood score and percentage of population 5 years of age and under is not altogether genuine. We have already commented on the fact that the presence in the original instrument of two items referring to children tend to discriminate against women who did not have children. The inclusion of such items can be justified, however, on the ground that we are interested in the number of folkways practiced, regardless of the cause or reason. If women with children have an additional basis of contact, that is significant.

It is not, however, the mere presence of children or of married women which tends to increase the average neighborhood score, as the relatively low coefficients of partial correlation indicate. It is the family situation or configuration which the presence of these two factors indicates that seems to be important, as the coefficient of multiple correlation shows.

¹⁸This conclusion is in line with Burgess' description of the stages of neighborhood deterioration. He speaks of a first stage as one of residential home ownership, with a high degree of community spirit, a second stage of tenancy, with decline of loyalty to the neighborhood, and later stages of business invasion, rooming house invasion, invasion of imputedly inferior groups, of vice and crime, etc. See "Natural Areas as the Unit for Social Work in the Larger City," *Proc. Nat. Conf. Social Work*, 1926, p. 509.

Briefly, in the 37 white tracts on which these analyses were based, the average neighborhood score tended to increase as the percent of all dwellings which were single or two-family dwellings increased, as home-ownership increased, as the percent of occupancy of all residential units increased, as the percent of the adult female population married increased, and as the percent of the population under 5 years of age increased. It tended to decrease as the median rental increased, within limits, as mobility increased, as the percent of population 65 years of age and over increased, as multiple dwellings increased, as the Negro population increased, and as the density of population increased. Neighborhood, as measured by the instrument used in the present study, may then be said to be a middle class phenomenon which tends to be at its height in stable areas where young families who own their homes live, and where flight or exodus (as measured by vacancies) for whatever reason has not yet begun.

In the beginning of this discussion the whole question of the significance of the results was dismissed. Before closing, however, a few implications might well be considered. Among the factors found to inhibit or suppress the practice of neighborhood folkways were several—such, for example, as mobility, an aging population, multiple dwellings, and density of population—which we may expect increasingly to characterize our industrialized society. The outlook for the spontaneous existence of neighborhood is, therefore, not favorable. The question arises then, from a psychological point of view, as to just how much anonymity human nature can stand. How impersonal and abstract can social organization become and still cater to the inevitable primary-group needs of human nature? Can the increased efficiency in transportation and communication, which makes functional rather than local groupings possible, quite make up for the impersonality of our contacts with the people who share our own roofs? So long as people are born and raised in primary groups rather than in institutions, human nature will require normal satisfaction of the primary group emotions. If our collective method of making our living tends to annihilate one of the three major primary groups—its destructive effect on that most primary of groups, the family, has been treated at length by sociologists—we may well wonder what the results will be for personality. In this connection it is of interest to note that in the present

study, as neighborhood decreased, the suicide rate increased.¹⁹ A mere straw in the wind, to be sure, but certainly worth pondering as a sidelight on our social and economic organization and its impact on human nature.

¹⁹The coefficient of correlation between the average neighborhood score and the suicide rate for the 37 tracts was $-.40 \pm .14$.

APPENDIX A

On the basis of previous studies, especially those of Dr. Bessie A. McClenahan and Dr. R. D. McKenzie,¹ a provisional instrument for the measurement of the variable "neighborhood" as here conceived was drawn up, with provision for multiple-choice responses. On the basis of 101 returns from the mothers of college students, some of the questions were thrown out, others were re-stated, and the instrument revised. The approximate median in the rough continuum of the multiple-choice responses allowed for was found and those who were on one side of this point were counted as having "passed" that item, others as not. The questions are presented below; the vertical lines in the multiple-choice responses indicate where the approximate median fell in each case.

QUESTIONS USED IN THE STUDY FOR THE MEASUREMENT OF NEIGHBORHOOD

About how often do you chat or "visit with" your neighbors?

ANSWER: Never Rarely | Sometimes Often

Do you and your neighbors exchange things, such as books, magazines, patterns, recipes, jellies, jams, preserves, suggestions, tools, dishes, or any other similar things?

ANSWER: Never Rarely | Sometimes Often

Do your neighbors talk over their problems with you or ask you for advice or help when they are worried?

ANSWER: Never | Rarely Sometimes Often

About how often do your neighbors come to your home to visit you?

ANSWER: Never Rarely | Sometimes Often

Do you and your neighbors ever take care of each other's children when the other one is sick or busy?

ANSWER: Never | Rarely Sometimes Often

About how often do you go to your neighbors' homes to visit?

ANSWER: Never Rarely | Sometimes Often

Do you and your neighbors have picnics or outings or parties together?

ANSWER: Never | Rarely Sometimes Often

¹Bessie A. McClenahan, *The Changing Urban Neighborhood* (Los Angeles, 1929); R. D. McKenzie, *The Neighborhood: A Study of Local Life* (Chicago, 1923).

When you are worried about your problems do you talk them over with your neighbors, or ask help and advice from them?

ANSWER: Never | Rarely Sometimes Often

Do you and your neighbors exchange favors or services, such as receiving parcels, telephone messages, or similar favors?

ANSWER: Never Rarely Sometimes | Often

If you learned that property in your neighborhood was to be rented or sold to people whom you considered undesirable to have as neighbors, would you make an active protest to the owner or manager or to the local improvement association?

ANSWER: Yes | No Do not know

It will be noted that some of the questions were of such nature that if one ever did them (such, e.g., as discussing problems with neighbors, having parties or picnics together, etc.) it counted as an affirmative; others were of such a nature that if one did them but rarely it counted as a negative.

Several methods of weighting the items were experimented with but were abandoned. The "neighborhood score", therefore, is not a calibrated figure but represents simply the number of neighborhood folkways practiced. The distance between the scores is not strictly equal, but in order to have been considered as practicing a folkway one had to practice it at least as often as half of all the women in the standardizing sample. There is, therefore, a rough sort of weighting involved. Theoretically, however, one should receive more credit in her neighborhood score if she practices a rare folkway than if she practices a common one. Most systems of assigning weights based on this principle, however, assume a normal distribution of the variable under consideration. Such an assumption could not be made in the present instance. Refined weighting was consequently abandoned.

It should be emphasized that the object was to study the overt practice of neighborhood folkways primarily and not a subjective personality trait such as "neighborliness". Motivations, that is, were not involved, but only objective behavior. Individuals might rank low on the present instrument and still have all the warm, friendly attitudes which we commonly associate with the term "neighborly". The subjective or personality bases for the practice of neighborhood folkways were not considered since attitudes were secondary in interest to behavior. Nothing, furthermore, so complex and derivative as neighborhood *esprit de corps*, on the other hand, or neighborhood self-consciousness, was aimed at, although it was recognized that such variables are equally worthy of measurement and analysis.

SOME SOCIAL ASPECTS OF GEOGRAPHY

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Many geographic studies involving small areas have been published during recent years. In general, these studies recognize the complex nature of the landscape, physical and cultural. In most cases the cultural features are explained in terms of natural environment. However, it is the writer's opinion, based upon observations and quantitative field work, that many cultural features in a given area are not explainable as cultural-natural relationships.

For the explanation of such features the geographer is compelled to investigate conditions other than the natural environment, as economic, historical, sociological, and political. In themselves these factors are not geographic, but when they contribute to the explanation of cultural landscape they possess geographic quality.

To illustrate one contribution of the human factor to cultural forms the following is offered: Early settlers in the Ozark Highlands of Missouri built their log houses just as they had done in Tennessee and Virginia. These houses, in general, consisted of two rooms set end to end but separated some ten or twelve feet. This space was left open on each side but was covered along with the two rooms. This style of architecture was an adjustment to environmental conditions in the warmer regions from whence the pioneers came. Arriving in Missouri, the architectural style was continued. However, after a year or two the opening was boarded up because of winter conditions. The improvement represents an environmental adjustment. The original house represents the influence of a human factor, in this case custom.

Recently a field map of a small area was made, the primary purpose of which was to determine quantitatively the percentage of cultural features due unmistakably to physical environment.

The area mapped is located in the central part of Boone County, Missouri. This county lies adjacent to and north of the Missouri River not far from the central part of the state. The particular area is in the physiographic "glaciated plains" region of the state, but other than scattered boulders there is no surface evidence of glaciation.

The cultural features were indicated by symbols. Those features unmistakably due to physical conditions were indicated by stippling, and were numbered. Cultural features not explainable in terms of physical environment were left unstippled. For this area, the map indicates that the cultural landscape would not be explained completely if the geographer confined his interpretations to cultural-natural relationships. A few of the explainable relationships are here given, the numbers referring to areas.

1. Fallow land due to soil conditions. The top soil is less than two inches in thickness and has a lime requirement of 4,000 pounds per acre.
5. A small unused area due to a gully which the farmer is unable to cross easily with farm machinery.
6. Homesteads located on hill tops to secure desirable drainage.
8. A pond dug at this particular place to conserve water from a spring.
14. Clover is grown on this area because of soil conditions.
19. Pasture lands due to steepness of slope.

The unstippled areas, representing cultural features not explainable in terms of physical environment, occupy more than half of the area. The field study found that these cultural areas were not different, physically, from adjacent areas. Hence, so far as natural conditions are concerned, these unexplained cultural areas might have been utilized just as the adjacent areas.

This preliminary study suggests that the geographer should seek for factors other than physical in explaining a cultural landscape. No doubt some of these factors are economic, some are merely personal likes or dislikes of the particular farmer, some are custom, and others may be political or historical.

The two examples included in this paper indicate (1) that parts of a cultural landscape are explainable as cultural-natural relationships, and (2) that geographic study must make use of some of the principles underlying the social sciences.

NEW SOURCES FOR THE STUDY OF FRENCH OPINION DURING THE SECOND EMPIRE

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While historians have become ever more critical of their sources in nearly every branch of historical research, still those devoting themselves primarily to studies of public opinion have often been all too credulous or gullible in their acceptance of certain sources as clear reflections of popular sentiment. Historical scholars have usually relied on popular elections, legislative debates and votes, petitions, and newspaper agitation for their information. All of these sources, however, are to a certain degree unsatisfactory in furnishing the investigator with a clear-cut picture of public feeling. Election results are often based upon multiple reactions to many confusing issues; legislative acts tend to represent party regularity and political jobbery petitions, demonstrations, and lobbying are hardly more than vociferous utterances of interested and prejudiced minorities.

Quite often the historian of domestic or foreign policies comes to rely on the expression of opinions in newspapers and magazines as the truer representation of national sentiment. Newspapers can be brought together from many regions within a country to give a unified view of various sectional reactions; they speak on a specific issue disentangled from other simultaneous ones; and they are not hampered by legislative expediency. Indeed, so adequately does the press seem a reflection of opinion that, in the vocabulary of historians, press opinion and public opinion become almost synonymous terms, and detailed studies of the press are often published as analyses of "public opinion."

And yet these historians themselves, like all thoughtful people, must realize that even the so-called free press is but a fallible mirror of true public sentiment. The influence of governments and political parties, the ownership of newspapers by financial and industrial leaders, the outside business interests of publishers and editors, and the pressure of advertisers—all tend to make the press of the modern industrialized democracy the voice of a favored few rather than

that of the general public. The disparity between the press and public opinion was only too well revealed in our last presidential election.¹

The French press of today, even in a relatively less industrialized democracy suffers from what is popularly called *la publicité financière*. Georges Boris, editor of *La Lumière*, in a recent article declares that "cabinets of all political complexions had, for the purpose of hushing up attacks, been paying very considerable sums to newspapers and newspaper writers," that "blackmail, moreover, is the only means of subsistence for any number of small periodicals," that "newspaper opinion [in France] undoubtedly lies to the right of public opinion," and finally that foreign ideas of French opinion based on the French press are "often very far removed from reality."² The utility, then, of the "free" press as a source for the study of general opinion is quite often exaggerated.

If we turn, however, from present-day opinion and its means of expression to the same problem during the French Second Empire, we encounter even greater difficulties. Public opinion was one of the chief concerns of Napoleon III, Emperor of the French from 1852 to 1870.³ The Bonaparte dynasty had to retain public favor to a greater degree than the old traditional ruling families by developing policies that would gain the widest support and alienate the fewest groups. Louis Napoleon adopted early the principles of popular sovereignty⁴ and the practices of universal suffrage and plebiscites, although he was careful to make these privileges innocuous. If, then, the people were supposed to have chosen him, they could presumably at some other time dismiss him. His subsequent policies as Emperor were carefully chosen to avoid any such contingency by retaining his popularity with as many factions as possible.

Yet Napoleon III had deliberately deprived himself of the usual means of feeling the public pulse. The plebiscites were

¹See also L. M. Salmon, *The Newspaper and the Historian* (N. Y., 1932), pp. 439-440.

²Georges Boris, "The French Press," *Foreign Affairs* (Jan. 1935), XIII, 322, 324, 326-327.

³E. M. Carroll, *French Opinion and Foreign Affairs 1870-1914* (N. Y. 1931), p. 8. Cf. Seignobos, "Le Second Empire," in Ernest Lavisse, *Histoire de France Contemporaine* (10 vols. Paris, 1921), VI, 144, 247.

⁴P. de la Gorce, *Histoire du Second Empire* (7 vols. Paris, 1899-1905), I, 101.

mere popular ratifications of *faits accomplis* with no real choice offered the voters.⁵ By his system of official candidates accompanied by the threats, pressure, and scrutiny of the prefects he effectively thwarted the much-boasted universal suffrage.⁶ But even more effectively did the Emperor break his connections with public opinion by throttling legislative procedure and imposing a rigid censorship of the press.

The legislature under the Constitution of 14 January 1852 could scarcely be a reflection of the collective sentiments of the constituencies. The Senate was chosen by Napoleon and, therefore, was not expected to be an organ for popular expression. The Legislative Body, or lower house, was in its inception "packed" by the system of official candidates. The Emperor chose its president; his Council of State initiated its legislation; it might neither discuss nor vote a reply to the Emperor's address; its discussions were not public; its debates were not published; and its votes had to be practically for the whole bill or no bill. Although the right to vote a reply to the Emperor's speech and to publish the full debates was conceded in 1861, these parliamentary expressions could in no way indicate the amount or distribution of a divided opinion.⁷ If a freely elected representative legislature of a democracy seems to reflect public opinion inadequately, certainly this legislative arrangement could not be thought to reflect it at all.

The press under Napoleon III was an even sorrier instrument for registering popular thought. In addition to many of the handicaps of the so-called free press, French newspapers under the government of the Second Empire were subjected to a régime of stern censorship. From 1852 to 1868 newspapers had to obtain a government permit to be established; their editors and proprietors had to be approved by the government; they had to make a monetary deposit and pay a special tax on each number as well as increased postage rates. A news sheet was warned whenever it published an article that appeared merely "excessive, dangerous, or disagreeable"; after two warnings the paper, on the occasion of a third offense, was suspended for two months.⁸

⁵*Ibid.*, pp. 12-13.

⁶*Ibid.*, pp. 53-59.

⁷*Ibid.*, I, 27-29; III, 444-445.

⁸Seignobos, *loc. cit.*, VII, 63. Jean Maurin, *Histoire ecclésiastique du Second Empire de 1852 à 1869* (Paris, 1930), pp. 156-161, 349-351.

The press's need for funds to cover the cost of the heavy government exactions also encouraged the tendency to accept bribes. Nearly all writers and journals had their price when approached by propaganda agents. De Leon, a Confederate agent, wrote home: " 'France wants money' literally, and not figuratively . . . We must buy golded opinions from them if at all."⁹ Villemessant, editor of *Figaro*, declared cynically to a group of friends while displaying a number of his journal: "Here's the best number we've ever had: every line of it is bought and paid for."¹⁰ Lucy M. Salmon in another work points out how the French press of the Second Empire was prevented from expressing the views of general opinion on foreign affairs.¹¹ Consequently, what has just been said should be enough to show that an even less valid reflection of public opinion will be found in the press of the Second Empire than in that of the present republican régime.

But if the Emperor wanted to keep in touch with opinion within his country and yet could put no faith in the evidence offered by his electorate, legislature, and press, how did he obtain his knowledge of the trends of public sentiment? Recent researches in the *Archives Nationales* reveal that Napoleon depended largely on his prefects and *procureurs généraux* to furnish him with detailed and regular reports on public opinion.¹² The confidential nature of these reports exonerates them from the charge, often made against newspaper articles, of distorting the facts to create a desired effect on the public. Indeed the administration let it be known that an accurate account of opinion was required and necessary.¹³ Consequently, they seem to have furnished the imperial government, and incidentally the historian, with a relatively more reliable picture of the state of public opinion than could be given by the contemporary newspapers and periodicals.

⁹W. R. West, *Contemporary French Opinion of the American Civil War* (Baltimore, 1924), p. 110. See also *ibid.*, p. 111 and Owsley, *King Cotton Diplomacy* (Chicago, 1931), p. 183.

¹⁰Georges Weill, *Le Journal: Origines, Evolution, et le Rôle de la Presse Périodique* (Paris, 1934), p. 227.

¹¹L. M. Salmon, *The Newspaper and Authority* (N. Y., 1923), pp. 86-87.

¹²E. M. Carroll, "French Public Opinion on the War with Prussia in 1870," *American Historical Review*, XXXI, 681. Carroll, *op. cit.*, pp. 6-7. Maurain, *op. cit.*, pp. xi-xii, xxi-xxiii. Seignobos, *loc. cit.*, VI, 137, 158. L. M. Case, *Franco-Italian Relations* (Philadelphia, 1932), pp. 21, 334.

¹³Circular from Rouher, minister of justice, 24 Nov. 1849, *Archives Nationales* (hereafter cited as A. N.), BB²⁰ 367.

The prefect reports to the ministers of the interior (series F^{1c}III in the *Archives Nationales*) are, unfortunately, quite unsatisfactory as indications of public opinion. They do not stress foreign affairs; none exist between 1859 and 1864; and after 1864 they are only two-page forms filled in with brief laconic replies.¹⁴

In order to obtain, then, a knowledge of what Napoleon III learned about opinion from his administrative reports, we must turn to those sent by the *procureurs généraux* to the ministers of justice. Fortunately these compensate amply for the disconcerting gaps and inadequacies of the prefect reports. The *procureurs généraux* were the legal agents of the ministry of justice in the twenty-eight districts (*ressorts*) of Imperial Courts,¹⁵ which were higher courts with appellate jurisdiction. They were public prosecutors-in-chief having general supervision over the *procureurs impériaux* (similar to district-attorneys in the United States) and over the prosecution of criminal cases in these higher courts. These officials in the performance of their duties and by their contacts with their subordinates even down to the justices of the peace, were also able to gather a great deal of very pertinent information on the state of public opinion.¹⁶ Although their duties were more limited and specialized than those of the prefects, the central government, it seems, depended more on their reports than on those of the prefects for information on opinion. The numerous digests composed especially for the Emperor are evidence of the attention he gave these reports. During the Austro-Sardinian War the *procureurs généraux*, and not the prefects, were instructed to give *weekly* reports on opinion. This war probably stands out as one of the most thoroughly reported diplomatic incidents from the point of view of opinion. Certainly after 1865 the government had but one choice when it compared the two-page prefect reports with the twenty-five-page reports of the *procureurs*. Time and again the

¹⁴For a corroborative detailed description see Maurain, *op. cit.*, p. xi.

¹⁵Each district included three *départements*, and its court was located in each of the following cities: Agens, Aix, Angers, Amiens, Bastia, Besançon, Bordeaux, Bourges, Caen, Chanbéry, Colmar, Dijon, Douai, Grenoble, Limoges, Lyons, Metz, Montpellier, Nancy, Nîmes, Orléans, Paris, Pau, Poitiers, Rennes, Riom, Rouen, and Toulouse.

¹⁶A first-hand description of the method of obtaining information may be found in the reports from Colmar, 14 July 1862, 24 Jan. 1863, A. N. BB⁵⁰ 376.

government turned to the *procureurs généraux* when it wanted special information on such subjects as the election of the general councils of the *départements*,¹⁷ the celebration of the Emperor's birthday,¹⁸ insults against the Emperor,¹⁹ opinion on the Emperor's speech in November 1863,²⁰ and agitation on the Roman question in 1860 and 1861.²¹

A survey of the correspondence between the ministers of justice and their *procureurs généraux* reveals the importance they all attached to the accounts of opinion contained in these reports. Rouher's instructions (24 November 1849) to his *procureurs généraux* concerning the contents of their reports required "an exact description of the moral and political situation on the first day of each month." In closing he added: "I do not need to suggest that you execute the present circular with the greatest precision and care; I am sure that you understand how important it is."²² By a circular of 27 December 1852 the requirements were somewhat relaxed. "A brief survey of your region every three months will be enough to determine any changes in public opinion. . . ." A year later the practice was reduced to reports each January and July. After six years (1853-1859) of semi-annual reports²³ a confidential circular of 11 March 1859 started up again an ambitious and systematic program of quarterly reports which continued for a whole decade to 1868. The communication contains a list of subjects on which the *procureurs généraux* must report every three months. The second item reads: "What effect do the principal events of each quarter produce on the different classes?" The instructions continue with this exhortation:

It will not suffice to observe and report the state of public sentiment in a general way; it is absolutely necessary that I find in your communications evidence of a personal study and a clear and exact appreciation of everything characterizing the period in question and of anything revealing the tendencies and demands of the population.²⁴

¹⁷A. N. BB¹⁸ 1632, A³ 4904. The general councils were closely associated with the prefects, and yet this task was assigned to the *procureurs généraux*.

¹⁸A. N. BB¹⁸ 1636, A³ 5379.

¹⁹A. N. BB¹⁸ 1644, A³ 1691.

²⁰A. N. BB¹⁸ 1681, 9787.

²¹A. N. BB²⁰ 450-451.

²²A. N. BB²⁰ 367, 24 Nov. 1849.

²³*Ibid.*, 27 Dec. 1852, 31 Dec. 1853.

²⁴*Ibid.*, 367, 11 March 1859.

At the same time a new element was injected which is of special value after the outbreak of the American Civil War:

I also think it to be of great importance that you give me the results of your observations on the principal economic questions with which the government and the country are concerned. Consequently I should welcome with great interest whatever you may have to report on the condition of the industries in your district, the causes of their prosperity or decline [and] the condition of the workers employed. . . .²⁴

This economic part to the reports came very conveniently just before the opening of the Civil War in America and furnished invaluable information on its economic effects on France all during the period of that conflict. The minister of justice closed his instructions with the parting reminder: "I attach great importance to these regular reports."²⁴

The replies of the *procureurs généraux* to this confidential circular indicated that they, too, realized the importance of the new instructions. One promised "exact and complete information"; another vowed that his reports would "have the character of special exactness and practical usefulness in form as well as in content"; while they all echoed the sentiments of a third who assured the ministry that he was "indeed very much impressed with the importance of these regular communications."²⁵

Their methods of obtaining information and guaranteeing its authenticity seemed to bear out these earnest promises. One report described the usual procedure:

The heads of the *procureurs'* offices [*les chefs du parquet*] at Vesoul, Gray, and Lure have taken the trouble to verify carefully by personal investigations the information furnished them by the unanimous reports of the justices of the peace. They interviewed officials, industrialists, landowners, farmers, and plain workmen, and they have not met one who showed the least sympathy for a war in the interest of Piedmont or even of Italy.²⁶

It is also interesting that this information was a criticism of the government's policy.

The reports written as a result of these successive instructions and the subsequent thorough inquiries are voluminous. They fill twenty bulky cartons in the *Archives Nationales* (series BB⁹⁰), and the reports from each district fill about six bound books of manuscripts (a total of about 170 books).

²⁴*Ibid.* Replies to the confidential circular of 11 March 1859.

²⁶Report from Besançon, 9 April 1859, A. N. BB⁹⁰ 373. See also report from Rouen, 10 July 1862, *Ibid.*, 387.

The average length of an individual report after 1859 is about twenty-five pages although some contain as many as ninety or a hundred. This differs considerably from the two-page forms of the prefect reports. Each report is usually divided into three sections: political (*i.e.* opinion), economic, and moral. The political is again divided into opinion on domestic and foreign questions, and these in turn by marginal headings are subdivided into the current topics. The economics section is divided into agricultural and industrial subjects which, in turn, are subdivided into the various occupations, industries, and localities. Thus by a minute examination and a full report we are given a conscientious survey of all France over a period of twenty years.

There is every indication that when these reports were received, they were examined with care. Their pages are replete with red-pencilled underlinings; their margins abound with lines, checks, and comments. Digests, accompanied by copious extracts, are known to have been made for the Emperor's personal use in August 1855, July 1859, and April 1860. In 1861 a digest was made of the trend of French opinion in every judicial district and *département* from 1853 to 1861, and on 28 June 1863 long extracts from the January reports of 1863 were arranged under three headings—"Industrie cotonnière," "*Guerre du Mexique*," and "*Question romaine*"—and were likewise sent to the Emperor.²⁷ Both the ministry of justice and the Emperor, then, scrutinized closely these reviews of local public opinion.

While the legalistic, bourgeois, and Bonapartist background of these *procureurs* must put us on our guard about accepting their conclusions at their face value, still their reports would seem to be considerably more reliable and useful than other sources of opinion available for the Second Empire. They describe provincial opinion as well as that of Paris, and they are, furthermore, very regular, detailed, and confidential. As a source of information on opinion the reports of the *procureurs généraux* appear also to be decidedly superior to those of the prefects. They have no serious gaps such as are found

²⁷Copies of these digests are found in A. N. BB⁹⁰ 368, but they do not contain any marginal notations by Napoleon because they are evidently not the originals which he examined.

in the prefects' reports.²⁸ From 1865 to 1869 they are detailed and lengthy while the corresponding ones of the prefects are mere two-page forms. It is interesting to note that Professor Seignobos, who is evidently familiar with both collections, preferred the reports of the *procureurs* almost to the exclusion of those of the prefects in his discussions of opinion. In his volume on the Second Empire he remarked that "the principal source [for the study of political opinion in the provinces] is the series of reports of the *procureurs généraux*." He then went on to say:

To see how these opinions are shared by Frenchmen, whether they result only from personal preference, whether they depend on social position, or whether they are bound up with the region, it is necessary to pass from Paris to a survey of all France. Local historical studies have not been carried far enough to give a complete and detailed picture. But the election returns and the secret reports of the *procureurs généraux* are sufficient to make known the general distribution of opinions in each region [*pays*], the dominant influences, the means of propaganda, the nature of demonstrations.²⁹

Whatever may be the suspicions concerning their partiality, the intentions of both the ministry of justice and the *procureurs généraux* seemed to be to obtain frank and truthful accounts. In addition to demands for accurate reports in their instructions, the ministers of justice showed by their marginal notes that they wanted objective studies. On one report, which claimed that opinion was favorable to the Mexican expedition, the minister wrote: "He's the only pr. gal who reports any such public sentiment."³⁰ When Dessauret of Montpellier waxed eloquent on how the people adored the Empire, Delangle sarcastically remarked at the end, "It can't be possible that this is M. Dessauret's report. —He undoubtedly must have assigned its composition to some student of rhetoric."³¹

As far as the *procureurs généraux* were concerned, the preceding instances appeared to be, however, exceptions and not

²⁸There is one gap of some importance in the *procureur* collection. The reports from Angers are lacking except for 1864, 1868, and 1869, but this is small in comparison with the 1859-65 gap in the reports from all the prefects.

²⁹Seignobos, *loc. cit.*, VI, 137, 158-159, and then 159-185 *passim*. Maurain remarks that the *procureur* reports are "very important." *Op. cit.*, p. xxiii.

³⁰Notation probably by Delangle on the report of Dufour, P. G., Amlens, 1 Jan. 1863. A. N. BB³⁰ 371.

³¹Comment signed by "D", probably Delangle, at the end of the report by Dessauret, P. G., Montpellier, 5 July 1859. A. N. BB³⁰ 380.

the rule. A careful examination of the texts will amply prove that time and again the *procureurs* fearlessly asserted that opinion was opposed to certain government policies. Every mention of the Mexican expedition, almost without exception, reports opposition to the government.³² Since the Mexican expedition was Napoleon's own pet venture, a frankness on that subject would incline us to judge the remarks on other topics to be equally fearless and truthful. Usually, after a few complimentary remarks at the beginning of their secret reports, the *procureurs généraux* heeded the emphatic commands of their superior and, with some embarrassment to be sure, tried to set down the truth.

Historians must necessarily continue to study public opinion however unsatisfactory their sources may be. Without popular referenda on every important subject, they usually must have recourse to the press as one of their instruments of popular expression, checking this with any other sources at their disposal. In the case of the Second Empire, however, when the press was so unreliable and the *procureur* reports were so full and frank, the latter would seem to deserve first place as the basis of approximating opinion, while the press and legislative debates must serve merely to qualify or amplify this main source. By their economic sections these reports will also serve to reveal the intimate relation between international economics and opinion on foreign affairs. Moreover, the historian will no longer need to rely on a corrupt and censored press for his main channel of information, nor erroneously to consider Paris as the barometer of the really more influential provincial opinion.³³

³²See particularly the report of Imgarde de Leffemberg, P. G., Dijon, 12 Jan. 1866 (A. N. BB⁵⁰ 377) in which he declared: "Je n'ai ni les lumières nécessaires pour apprécier la question [Mexican] ni la mission de la résoudre; j'ai pour seul devoir de discerner et de dire ce que pense sur ce sujet l'opinion publique et j'affirme sa fatigue et son ennui." See also *ibid.*, 11 Jan. 1864.

³³The author was able to consult the above-mentioned collections and obtain the material for the above paper through the use of a grant-in-aid given by the Social Science Research Council and by a generous supplement from the Rice Institute. The American Historical Association has also permitted the author to use portions of his recent book *French Opinion on the United States and Mexico 1860-1867*. For all of these grants and permissions the writer is very grateful.

ANTHROPOLOGY AND THE PROBLEMS OF INDIAN ADMINISTRATION

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The word *anthropology* is a red flag to the regular Indian Service administrator. To him it generally connotes a breed of people that look upon Indians as museum exhibits to be measured and cataloged rather than as human beings faced with the universal human problems of earning a living, keeping healthy, raising a family, getting along with neighbors, and enjoying life.

This feeling of distrust is likely to be reciprocated. A good many anthropologists, taking a most unanthropological view of the customs and thought-ways of Indian Service officials, regard such officials not as part of an historical process of acculturation but merely as "disturbing factors" in the search for anthropological truth.

Fortunately there are some signs today that this traditional hostility is breaking down. Here and there in the Indian Service a student of anthropology has shown some Indian Service employee how to solve some concrete practical problem of social adjustment in terms of ethnological factors which had escaped the notice of the practical administrator. At the same time, a number of American anthropologists have finally repudiated the traditional assumption that anthropology can be studied only in the purity of the past and that things modern are not anthropological. Many have come to suspect that the "break-down of culture", which has seemed to so many anthropologists to mark the end of anthropology, has in fact been going on through all cultural history, and that the dynamic aspects of culture in the process of change are worthy of scientific study.¹

In this field of what might be called dynamic anthropology, there are a good many practical problems on which an ad-

¹See, for instance, Clark Wissler, "European and American Indian Cultures in Contact", in E. B. Reuter, *Race and Culture Contacts* (1934); Alexander Lesser, *The Pawnee Ghost Dance Hand Game: A Study of Cultural Change* (1933); Margaret Mead, *The Changing Culture of an Indian Tribe* (1932); Robert Redfield, *Tepoztlan: A Mexican Village* (1930); W. C. Bennett and R. M. Zingg, *The Tarahumara: An Indian Tribe of Northern Mexico* (1935). The writer has found a good deal of light on current administrative issues in a comprehensive study of the Menominee Tribe by

ministrator may appeal for scientific assistance. It is the purpose of this paper to list very briefly a few of these problems of administration.

EDUCATION

Education on Indian reservations may be either an agent for dissolving Indian tradition and culture, for making a white man out of the Indian, or it may be an instrument for preserving native values and ultimately, perhaps, enriching American life. The choice between these two divergent objectives will be made not by the anthropologist but by the politician, that is to say, the determiner of policies. The anthropologist may be useful in the execution of either policy, for it is obvious that one cannot preserve cultural traits he does not understand, but it is equally true that efficient destruction demands maps of what is to be destroyed.

The history of organized education in this country has made it seem natural, to those who control the purse strings of Indian education, that education should be directed primarily to children rather than to adults. The practice, however, of educating children along lines unfamiliar to their parents produces serious social maladjustments, as is amply evidenced in the education of second generation Americans in our larger eastern cities. The child who is taught to respect skills and types of knowledge unfamiliar to his parents inevitably acquires a certain amount of disrespect for his parents, and, on the other hand, the parents, seeing the child spending time on unintelligible pursuits are likely to regard the younger generation as peculiarly ignorant and lacking in ability and discipline.

These tendencies combine to create a cleavage of generations. On many reservations the outward manifestation of this cleavage is bitter factionalism. A second manifestation of this cleavage is the appearance of a "lost generation", a generation that has left a world that seems dark with superstition and barbarism and has not been admitted into the new

Felix and Marie Keesing (not yet published), which combines careful historical research with a keen understanding of contemporary social problems. The writer is also very much indebted to Dr. Scudder Mekeel, of the Indian Office, whose unpublished essay on "The Economy of a Modern Teton Community" is a model of realistic analysis.

world that has been heralded by school teachers and other prophets of civilization. These maladjustments do not produce "gangsters" on Indian reservations as they do in our large cities, but they do produce shiftless, visionless, imitation white men that now, to most Americans, exemplify Indian character.

The solution to this fundamental problem requires scientific analysis of the problem of acculturation. Some form of adult education is inevitably called for if the continuity of generations, which is essential to social morality, is to be preserved. But adult education is a more difficult thing to arrange than elementary education, since it is harder to impose alien interests upon adults. All the more important is it, then, that we should base our plans for adult education upon a clear perception of the native interests and skills which must be the raw material of such education. In this task of exploration the anthropologist must play a primary role.

There are problems more concrete upon which anthropological guidance is needed, such problems, for instance, as are involved in the development of education in arts and crafts. We need not only an index of native craft activities, but a critical appraisal of these activities from an economic and aesthetic point of view. The methods of basketry making among different Indian groups will differ widely with respect to the time consumed in production, the durability of the product, and its beauty. Unless work in arts and crafts is to be for the purpose of filling museums, the responsibility of choosing between efficient and inefficient techniques, between more beautiful and less beautiful products, will inevitably fall upon those charged with education in the applied arts. What is required, then, is an understanding not merely of Indian art products, but of the incentives and techniques of the native artists.

Again in the teaching of history, the anthropologist is called upon to make practical contributions of concrete value. Indian children and parents alike have the right to demand that the history of their people taught in their schools shall bear some resemblance to the facts. It is for the historical anthropologist to dig these facts out of the mass of records and old wives' tales in which Indian tribal history is imbedded.

THE PROBLEM OF ADMINISTRATIVE AREAS

An Indian reservation is an administrative unit. It may or may not be a cultural or social unit. The fortunes of history have scattered the Chippewa Tribe through many States and brought together on a single reservation Shoshones and Arapahos, or Grosventres and Assiniboines. The differences between natural and administrative groupings are a key to many problems of Indian social organization and disorganization. The ever-present problem of factionalism within a reservation frequently runs back to band or clan divisions.

Dr. Scudder Mekeel reports the case of an Indian corral built for the use of a certain "district" on a reservation. The district, laid out as a unit for administrative purposes, i. e., for the convenience of an Indian Service farmer with a car or perhaps a horse and buggy, had no special relation to Indian social groupings. There was consequently no feeling of collective responsibility among the Indians supposed to cooperate in the use of this corral. The result was that various Indian families felt no compunction about using the corral fence as a source of firewood.

Here, in a minute case, is an example of the difficulties which ignorance of the natural Indian groupings has brought upon the shoulders of Indian administrators. Nothing is more natural than that a forestry or grazing expert of the Indian Service should lay out a unit of operation with his eyes on the ground, investigating soil, water, contours, and vegetation. He cannot give attention to the human factor in the problem of administrative areas unless he understands the nature of that factor. And the Indian Service is sadly in need of scientific information on the historical and ethnological elements that enter into the formation and functioning of social groups on the various reservations.

ECONOMIC ACTIVITIES

In seeking to help the Indian to become self-supporting, Indian administrators have commonly taken one of two views. From the beginning the view has been current that the natural occupation of the Indian is that of farming. To a certain extent this view has been tempered by the belief that Indians should be assimilated into the white population through technical training in diversified occupations such as plumbing, hair dressing, and printing.

There are difficulties in each of these theories of Indian economic development upon which the data of anthropology may throw significant light. Training for urban occupations, is useful only if the person trained can make the social adjustments necessary for urban life. The situation of the Indian entering urban life is to a certain extent similar to that of the European immigrant, except for the increased isolation of the Indian in an urban society which cannot contain many others of his race. He meets with misunderstanding, race prejudice, and patronizing sentimental interest. He must live entirely in a money economy. Familiar social sanctions of publicity, praise, and ridicule do not exist. Social mores different from those he has known on the reservation or in school are enforced by sanctions that he may not recognize or understand. These difficulties, coupled with the more obvious difficulties which any country "hick" encounters among city "slickers", make the program of industrializing and urbanizing individual Indians fairly hopeless.

On the other hand, the program of assimilating the Indian to the pattern of life set by his white pioneer farmer neighbor has encountered difficulties equally serious though less easily understood. The typical white employee of the Indian Service has assumed that the life of the white pioneer farmer in the Indian Country is a good life, and perhaps *the* good life, that industriousness is one of the highest virtues, and that the receipt of "charity" from the Government is disgraceful. But these assumptions do not correspond with the traditional beliefs of most Indians. In many parts of the country agricultural work has long been looked down upon as monotonous, degrading, and fit only for women. On the other hand, the receipt of goods from a generous friend or from a foe conquered in war was an extremely honorable method of securing material possessions. The Sioux veteran who brings home five pounds of bacon from the Agency of the Nation which he and his people once defeated in warfare may be engaged in an honorable occupation, according to the traditional Sioux standard of values. Even among whites the receipt of unearned income is considered honorable if it is the result of victory in military or economic warfare. The Indian Service extension worker who considers it perfectly obvious that the Indian who plants many acres of potatoes is a more honorable citizen than the Indian who draws rations simply fails to understand the background of

values and incentives out of which economic activity emerges.

In every culture there are gradations of occupation from the honorable to the dishonorable. These gradations cannot be safely ignored in the choice of suitable economic activities for a given community. Anthropologists can render a significant service by uncovering the standards and incentives which will produce efficient and satisfying work. We have learned, as a result of muddling experience, that certain Indians take to cattle-raising with tremendous enthusiasm. We know that many Indians have been entirely unsuccessful as mill-workers, dairymen, or wheat farmers. We know in general that those Indians who have preserved their traditional occupations, e.g., irrigation farming among the Pueblos or fishing among certain northwest tribes, are industrious workers and enjoy their work.

What Indian Service workers have generally failed to recognize is that in the long run people do not make a success of any job unless they enjoy it. Whether people enjoy or despise the work they are doing depends in very large measure upon childhood stories that made some kind of man's work (or woman's work) seem very important and exciting, upon ceremonial developments in the work they do that compensate for danger or relieve monotony, and upon a whole life adjustment to certain rhythms of activity. The hunter who has learned from his grandmother or grandfather of the glories of ancient hunters, who has looked upon success in the chase as the first mark of his manhood, who has accustomed his body to intermittent periods of sustained strenuous activity and his mind to the face of danger, may not be satisfied to dig potatoes or cultivate corn. There are other occupations of modern life, such as herding cattle or operating a tractor or a steam shovel, which may appeal to the same deep-rooted drives that once produced great hunters. On the other hand, the Indian irrigation farmer of the Southwest who has made a ritual and a religion of his dependence upon sun and rain and corn, who celebrates the harvest with communal rejoicing and symbolizes his pride of achievement in the long ears of corn strung up to dry in front of his home, needs no Indian Service farmer to encourage his industry.

The belief among certain Indian Service employees that Indians are naturally lazy is a token of Indian Service failure, indicating only that the bearers of modern civilization have

not offered certain Indian groups a "moral equivalent" of the work that was traditionally honored and respected. The task of discovering or creating substitute activities which engross the same human drives and build upon the same popular ideals as the traditional work activities of a given Indian group is probably the most important task of applied anthropology.

LAND TENURE

The extent of our ignorance of the basic facts of Indian land tenure is amazing. One might read in an hour all that anthropologists have had to say on this subject. Administrators and research workers alike have usually dismissed the subject with the observation that private property in land did not exist. This is a misleading half-truth. It is probably true that, among most tribes, the individual Indian could not sell land to a white man, but this is hardly a negation of private property. Under any system of land tenure there are restraints on alienation, and in the great citadel of individual land tenures from which our common law is derived there have been times when most of the land in the country could not be sold to anyone. We do know that in many Indian tribes lands have been individually utilized for purposes of gardening, fishing, or trapping. Where such individual use is socially recognized there is inevitably an unwritten code defining the limits and conditions of this interest in the land, and the methods of transferring it to others either *inter vivos* or at death. In some cases, as in the Rio Grande Pueblos, there may be well-defined forms of governmental procedure in the assignment of lands for cultivation and the revocation of assignments for non-use. Among other Indian groups, methods of appropriating tribal land to individual use may depend upon the strength or prestige of the individual claimant. But it is safe to say that in every Indian tribe some individual interest and some social obligations are attached to the land.

Without knowledge of such individual rights and social responsibilities the Indian Service has never been able to deal satisfactorily with Indian land holding on unallotted reservations. Unless this lack of knowledge can be remedied, the drive towards imposition of white concepts of private property, in the form of the allotment system, is likely to be resumed. The administrator who seeks to control overgrazing

on the Navajo Reservation, or to collect "operation and maintenance charges" for irrigation water on Pueblo lands, must be able to define the interests of private individuals in "communally owned lands." Unless this process of definition is based upon more anthropological information than is now at the disposal of any Indian Service administrator it is likely to end in confusion and failure.

INHERITANCE

The problem of Indian inheritance has long baffled the Indian Service administrator. An Indian Service reservation administrator of outstanding ability once confessed that he had succeeded in wiping out all the pagan customs of his wards except their customs of inheritance. It was still possible for the decedent's brother to take all his cattle, leaving the widow and children in abject poverty. Possibly if this superintendent had understood the inheritance laws of the tribe under his jurisdiction he would have seen as much justice in them as in the inheritance laws of the various states. But it is also possible that the situation which caused him concern was in part the result of white laws,—that in years past the brother would have taken not only the cattle but the widow and children as well,—and that the present situation is an unstable resultant of two divergent codes.

In imposing state inheritance laws upon certain Indian reservations we inevitably read into Indian social life the concepts upon which white inheritance is based, i. e., marriage, divorce, adoption, degrees of relation, the ownership of property within a family, and the concept of decedent's debts. To what extent these concepts represent anything actual in native Indian social organization we do not know.

HEALTH CONDITIONS

Indian health conditions are notoriously bad. Foremost among the gifts which the white men have brought to native America is the Pandora's box of diseases previously unknown on this Continent. The problem is essentially a white problem to be solved with white medicine. Yet even in this field there are native resources and native obstacles which make the problem of health maintenance on Indian reservations different from the problem that exists in a white locality of equal poverty.

For one thing the habit, wide-spread among the Plains Indians, of family visits to friends and relatives for sustained periods, coupled with conditions of crowding in Indian homes, lays a special basis for the spread of contagious diseases. This renders almost futile individual treatment of contagious diseases which sends the cured individual back to the source of contagion. Preventive hygiene demands not only a knowledge of the social customs that endanger health but also an appreciation of the human satisfactions derived from these customs. In the last analysis, these customs will be modified not by prohibitory commandments of a sanitary code but only by social adjustments which bring to the Indians concerned the human values they have hitherto found in the customs that have become dangerous to health. Father William Duncan, for example, made it possible for his Indian community to be both hospitable and healthy by encouraging them to build community guest-houses for visiting Indians.²

Indian Service efforts in preventative hygiene have made insufficient use of native patterns and ideals of physical development. In our efforts at civilization we have substituted rations of beans, coffee, sugar, lard, and flour for native Indian diets. We have instructed the Indian to guard his body from the sunlight, we have deprived many Indian groups of adequate water supplies, we have discredited the native medicine men (who in many parts of the country had achieved remarkable skill and a knowledge of native medicinal herbs that white physicians have not yet improved upon), and we have instigated radical changes in forms of shelter. An analysis of these civilizing drives from the standpoint of public health would be of great value.

ART AND RECREATION

To many visitors in the Indian Country the outstanding impression of Indian life, outside of the Southwest, is that of spiritual squalor. Throughout the Plains country and in many other parts of the Nation, white civilization has wiped out a culture remarkably rich with everyday beauty, in the applied arts, in games, in dress, in dances and music. There has been substituted a desolate ideal of the white homesteader, a man who has lost contact with society and has no time anyway for

²H. S. Wellcome, *Story of Metlakatla* (1887) p. 23.

friendships, art, or play. This change of values has naturally demoralized the Indian. The white homesteader was generally buoyed up to endure a recreationless life by drives which the Indian has not inherited, chiefly the powerful drive of individual financial success to be achieved through the exploitation of natural resources. Some day anthropologists may chart in detail the ravages which have followed white attack upon Indian recreation. Meanwhile there is the more immediately pressing task of resurrecting forms of Indian art and recreation which can serve in modern life the same functions that they served decades ago, or of discovering or inventing their modern equivalents,³ in terms of a scientific theory of cultural valences.

³At Metlakatla, Mr. Paul Gordon, of the Division of Territories, informs me, an effective substitute for gambling games was found in the setting up of a magnificent brass band. Cf. J. W. Arctander, *The Apostle of Alaska* (1909), pp. 225, 337.

U. S. S. R.—1936

DORSEY D. JONES
University of Arkansas

That the principles of the French Revolution altered profoundly the governmental systems of Europe is not to be denied. Rousseau sounded a clarion call when he stated in his *Social Contract* that "Man is born free and everywhere he is in chains." He based his perfect state on the sovereignty of the people and on the principles constituting the essence of democracy. The political ideals of Rousseau were fundamental to the philosophy of the revolutionary leaders of 1789. The success of the bourgeoisie in their efforts against the absolutism of the Bourbons fired the middle classes of neighboring countries to similar ambitions against autocratic sovereigns. This agitation for the development of democratic types of government affords the most outstanding characteristic of European history during the past century and for almost two decades of the twentieth.

Democracy with its conventional parliamentary system seems to have lost ground rapidly in Europe within the last few years, and the evidence of this retreat is found in the emergence of two types of dictatorships. The first of these is Communism. It emphasizes the elevation of the proletariat to a higher standard of living; it urges the obliteration of class distinctions; it relies upon the "seen" or that which science and reason dictate as acceptable; and it insists on the brotherhood of man. The second of these types of dictatorships is Fascism with its emphasis upon a fervent nationalism and imperialism. It is almost needless, of course, to mention that these two types of dictatorships are bitterly antagonistic, and for that reason the European alignments present complicated international relationships.

The first of the modern European dictatorships came with the Bolshevik Revolution of November, 1917. Since that time, to speak the word Russia or to say anything about the Union of Soviet Socialist Republics produces a torrent of discussion. Lecture platforms are filled with persons who are discussing the program of the Soviets, and they usually regard it with whole-hearted approval or condemn it as something diabolic. This is easy to understand when one realizes the kaleidoscopic character of the Soviet scene. It is ever in a

state of flux. No one picture of it can be wholly accurate. It is easy for persons who have a bias for or against the political, economic, and social program of the Soviets to find almost limitless evidence to substantiate their choice point of view. None-the-less, out of the mass of contemporary books, magazines, and current newspapers any person who is sufficiently interested may slowly piece together a picture of the Soviet scene containing a minimum of uncontroverted facts.

It is the purpose of this article to examine a few of the larger pieces of the Russian jigsaw of 1936 as they have been prepared by the Bolshevik leaders, who undoubtedly are perfectly sincere in their efforts to make a success of Sovietism. The temptation is to compare conditions in any foreign country with those in the United States inasmuch as we rely upon what we have seen for a criterion, but a warning against such a comparison must be interjected here. Soviet Russia must be considered in and by itself. It is unfair to judge it by western standards. We must remember that although the Industrial Revolution began in England in the middle of the eighteenth century, it was a long while in crossing "the channel" and very slowly worked its way across Europe from the west to the east. Only near the close of the last century did it begin to manifest itself in Slavic Russia, which may well be called "the adopted child" of Europe. Moreover, the Russian masses have never been far advanced from conditions of mediaevalism, and it is a long jump from that conception to the materialistic view of the Soviets so well-expressed in the following lines of one of their poets, Alexander Bezymensky:

I am Sun and Steel and Concrete.
In the womb of factories, beneath the heart of
engines,
I was conceived and born, yea, I am a Worker!
My first movement—the swing of a hammer!

The first panacea applied by the Red leaders to rectify what they considered were ills produced by capitalistic exploitation of the workers was to decree state ownership of all natural resources as well as of all agencies of production and distribution. Pure socialism or "War Communism" did not prove to be the sought-for remedy for the economic ills. By 1921 the New Economic Policy or Nep was adopted. It sub-

stituted a fixed tax from the peasants for the forced collections of earlier years, and it permitted a slight degree of private ownership. Although some improvements were noted, they were regarded as insufficient and then, to remedy the defects, came the series of Five-Year-Plans. The Soviet leaders were encouraged by the results of the planning system although the announced objectives were reached in only a minority of instances. The Second Five Year Plan is well under way. It began on January 1, 1933, and it provides for more attention to the lighter industries than was given in the First Plan. Enough success is attending it to warrant a forecast that the general scheme of planning will be continued.

This hasty resumé of the economic efforts of the Soviets leads to a brief discussion of their latest attempt to speed-up production. It originated in the mind of a semi-literate, a 29-year-old coal miner by the name of Stakhonoff in August, 1935. He experimented with a division of labor whereby he devoted all of his efforts to cutting coal with a pneumatic drill while less skilled miners propped the drift. Naturally, the scheme worked and the output of each driller rose from about fourteen tons per shift to sixty tons. As soon as the Soviet leaders learned about the efficiency efforts of the miner, they began to propagandize the idea of *Stakhonoffism*.

The mechanical aspects of the movement show nothing new. Frederic Winslow Taylor urged efficiency methods a quarter of a century ago, and all modern factories in capitalistic nations use them. The Soviets contend, however, that the increased output in their country does not go to reward any capitalist, but that the additional wealth is created for the benefit of all. Too, they emphasize that the idea germinated with a laborer and that it came from below rather than from the top down. Efficient methods and the use of machinery will throw men out of work, but the Soviets feel that they are so far behind with their production that those laborers who are discharged from one plant or project can readily be absorbed by others that need additional employees.

The Soviets confer the title of *Stakhonoffist* on a worker in properly operated plants only after he completes a course of at least sixty hours of study in his spare time in classes held in the plant where he works.

Naturally there are two points of view in regard to this new effort to speed-up production. Some of the workers pride themselves on their accomplishments and also profit by the increased pay, but there is another group that resents the pressure. Although the movement has made the Russians know that there is such a thing as efficiency, one will still find a tremendous amount of inefficiency and much that is "kapoot".

The Soviets use three important devices to get funds to aid their budget:

1. Levies on the profits of State enterprises.
2. Taxation of commodities and of incomes.
3. State borrowing.

It has been suggested that additional revenue should come from taxing bachelors and childless families.

One of the social changes inaugurated in 1936 was the result of the law passed on June 28. It aimed to prohibit abortions except in those cases where the life or health of the prospective mother was seriously endangered.

The Soviets now frown on the practice of abortions because they have learned from experience that the health of mothers is impaired by them and also that there must be more babies if the quota of soldiers and workers is to be fully staffed. Any doctor who performs an unnecessary abortion is liable to an imprisonment for two years, and any person who encourages a woman to submit to the operation may be sentenced for a similar term. After a first offense a woman may be given a public reprimand, and after a second offense she may be fined as much as three hundred rubles.

The dissemination of birth control information is legal, but it is not encouraged. In fact, the reverse is true. A mother with six living children who gives birth to a seventh draws two thousand rubles annually for five years and for every child up to the eleventh a similar amount. The amount is raised with the eleventh child to five thousand rubles for the first year and to three thousand rubles for each of the following four years.

Maternity vacations for office workers were formerly six weeks before and six weeks after childbirth, but the time has been extended now to sixteen weeks. Should a pregnant woman be obliged to take lighter work, her former wage must be preserved. One must bear in mind that these are provisions of the law, but that certainly does not mean that the law is always enforced. It is the aim to afford hospital care for all

maternity cases and also to provide for sufficient nursery facilities for all working mothers.

Marriage and divorce regulations have been too lenient in Sovietland, and the law of 1936 shows a tendency to strengthen the home ties. Both husband and wife are obliged to appear at the registration bureau whenever a divorce is obtained. The fee for the registration of a divorce has been increased on a graduated scale,—50 rubles for the first divorce, three times that for the second, and six times for the third. Should alimony be granted, one-fourth of the wages of the defendant may be allotted if there is one child; one-third for two children; and fifty per cent for more than three.

"Yellow tickets" were issued by the Tsarist officials to inmates of brothels, and the prostitutes were given periodic medical examinations. One thing has remedied the licensed traffic to some extent. It is that the great demand for labor and the equality of the two sexes in all of their activities has given all women the opportunity to earn their subsistence honorably. Then, too, the establishment of prophylactoria has aided in curing the spread of venereal diseases. On the other hand, however, one must realize that no type of government can eradicate all social evils, and it is fair to conclude that puritanical virtue is not embraced one hundred per cent by even the Soviets.

Surely all Americans will agree with the Soviets in their interpretation of the causes and cures for law violation. They believe that ignorance, economic pressure, and physical or mental illness are the three major causes of improper social adjustments. These three are supposed to be rectified respectively by education, by affording employment for all, and by laboratory treatment for the unfortunates in the last named category. Although much of the above is theory, it is practiced insofar as money, time, and skill will permit.

The draft of a new constitution was approved by the Soviet Congress in 1935. It was then prepared by a Constitutional Commission after which 15,000,000 copies were published and distributed for popular discussion. On the 25th of November, 1936, the draft was considered by a special all-union Congress of Soviets. There were 154,000 amendments submitted by the Russian people, but only forty-three were accepted.

An objective study of the new constitution reveals certain changes from the old one which was drawn up in 1923. In the

first place, two new republics are to be added—Kirghizia and Kazakstan—while the old Caucasian Federation will be split into three—Georgia, Azerbaijan, and Armenia. This is done for administrative purposes only. It will make eleven federated republics instead of seven.

In the second place, the new constitution does not mention capitalistic or imperialistic hostility. It emphasizes that the U.S.S.R. is a socialist state of workers and peasants. Thirdly, secret ballots for individual deputies on the basis of one deputy to each 300,000 members of the population will take the place of the old scheme of oral voting, which gave the town workers a 2.7 to 1 advantage over the peasantry because the former were represented on the basis of voters whereas the peasants were represented on the basis of population. Deputies may be nominated by the Soviet party, by a trade union, a farmers' cooperative, a scientific society, or a youth organization, and then the Communist Party selects a list of recommended candidates based on these many suggestions. There is an element of democracy in the plan, but since the Soviets control the organizations, already mentioned, one fails to see but that the elections will be "managed" to their satisfaction just as effectively as are those for the Fascisti party or the Nazi group.

As formerly, there will be two houses in the law making body. One will represent the many nationalities on the basis of ten deputies from each Union republic, five from each autonomous republic, and two from each autonomous region. The other house will be the Council of the Union and will be elected on the basis of one deputy for every 300,000 of the population. Such a scheme will prevent the R.S.F.S.R. or Russia from dominating the government of the Soviet Union, because a law cannot be made without a simple majority vote in each Council. Members of the two houses will be elected every four years and will meet twice annually. They will elect the Presidium and will designate the Council of Commissars, and these two bodies will rule when the congress is not in session. There are to be popular elections for judges of the lower courts for three-year terms; those in the appellate group will be chosen by the provincial Soviets for five-year terms; and those of the Supreme Court for a five-year term are to be chosen by the two Superior councils.

The most spectacular chapter in the constitution is number ten. It guarantees every worker the right to work because the ownership of the means of production are jointly his. There is the assurance of leisure with paid vacations and a seven hour working day; the defined right to education is specified as is security in sickness and old-age. The latter are provided for by a nation-wide system of insurance.

Agitation for national and racial hatreds, or even for discrimination, is punishable by law and contrasts strikingly with the situation in Nazi Germany. War may be declared if the country is "under military attack" but at such times every citizen is obliged to defend his country, and also "when necessary to fulfill obligations of mutual defense against an aggressor." The Soviets do not want to fight, but they are preparing for possible attacks by the Nipponese and by the Germans. The potential strength of the Red Army is unknown. Whether there are enough trained officers, adequate equipment, and assured loyalty is a mooted question, but the new constitution provides for a Commissariat of Military Industries. It also guarantees to collective farms, now 246,000 of them, the free use of their lands in perpetuity. It guarantees individual's inheritance of rights in personal property and freedom of religion.

It would appear that the Soviets have speeded-up production and that they are making progress in introducing general elementary education and in affording opportunities in recreation and in scientific experimentation. All have come with huge cost in human misery and in money. Whether the Romanovs would have granted these same things with the passing of time is doubtful, but there is not a single accomplishment of the Soviets that has not or can not be duplicated with great ease by other types of government.

The original strong men of the Soviets were Lenin, Trotsky, and Stalin. The first named died of sclerosis in 1924; the second has gone from his Norwegian exile to one in Mexico; and Stalin, the "Man of Steel", dominates the Soviet Union today. The confessions of sixteen accused Trotsky conspirators of two attempted assassinations of Stalin show that this Georgian dictator has many enemies. The sixteen who were executed were all former members of the Communist party.

Speculation is rife as to Stalin's possible successor. Molotov,

the Prime Minister, is mentioned, but Voroshilov, the Minister of War, seems to have an advantage over Molotov. Regardless of the one who succeeds him, one may say safely that the Soviet discipline is so strong that active opposition cannot manifest itself.

Although there was much inefficiency in the U.S.S.R., and the Japanese and German situations were menacing, a tremendous hope and a firm determination gripped the leaders of the Soviet Union in 1936.

NOTES FROM THE SOUTHWEST

KANSAS

University of Kansas—Miss Esther Twente, formerly superintendent of relief of the K. E. R. C., has been appointed Assistant Professor of Sociology and Social Work.

The MacMillan Company has announced the publication of *The Daily Newspaper in America*, by Associate Professor Alfred M. Lee. Professor Lee is on leave this year to devote his time to research.

Dr. Loren C. Eiseley, Harrison Fellow in Anthropology, University of Pennsylvania, has joined the Department at the University of Kansas as Assistant Professor of Sociology and Anthropology.

Dr. Carroll D. Clark taught at the University of Idaho during the summer session.

Professor Noel P. Gist, Assistant Professor of Sociology, taught at Michigan State during the summer session.

NEW MEXICO

University of New Mexico—Dr. Vernon G. Sorrell, head of the Department of Economics and Business Administration, taught at the University of Texas during the second term of the summer school.

Dr. Carlos E. Castañeda, University of Texas, was a visiting instructor in history during the summer session.

OKLAHOMA

Oklahoma Agricultural and Mechanical College—Dr. Theodore G. Standing, Ph. D. at the University of Iowa, 1932, and formerly Assistant Professor of Sociology at Iowa, began his duties as Associate Professor of Sociology on September 1. During the recent summer session he was a visiting instructor in sociology.

Mr. William H. Sewell, formerly instructor in sociology at the University of Minnesota, assumed his duties as Assistant Professor of Rural Sociology July 15. Mr. Sewell holds the B. A. and M. A. degrees from Michigan State College and completed his residence requirements for the Ph. D. degree at Minnesota in June of this year.

University of Oklahoma—Dr. Royden J. Dangerfield, who has been on leave of absence for the past year conducting public forums at Wichita, Kansas and Waco, Texas, has returned to his regular teaching duties.

Dr. A. B. Thomas, Associate Professor of History, has accepted a position at the University of Alabama. Dr. L. W. Bealer, formerly of the University of Arizona, has been elected to the position left vacant by Professor Thomas.

Dr. Karl D. Reyer of the College of Business Administration has accepted a position as Professor of Business Administration at Louisiana State University. Dr. Robert W. Field has been appointed to the position left vacant by Professor Reyer.

Dr. Robert K. Carr, Associate Professor of Government, has accepted a position at Dartmouth College. Dr. H. V. Thornton has been elected to fill the position.

Professor E. C. Petty of the College of Business Administration has been granted a leave of absence to teach at the George Pepperdine College. Dr. Charles F. Daily has been appointed Assistant Professor of Economics.

TEXAS

Hardin-Simmons University—Dr. W. D. Rich substituted for Dean Monroe S. Carroll at Baylor University for six weeks during the summer school.

Dr. W. D. Rich has resigned as head of the Department of Business Administration and has accepted a position as Associate Professor of Accounting at Oklahoma Agricultural and Mechanical College.

BOOK REVIEWS

EDITED BY O. DOUGLAS WEEKS

The University of Texas

Parsons, Elsie Clews, *Mitla Town of the Souls and Other Zapoteco-Speaking Pueblos of Oaxaca, Mexico*. (Chicago: The University of Chicago Press, 1936, pp. xix, 590.)

Alford, Thomas Wildcat, *Civilization, as Told to Florence Drake*. (Norman: University of Oklahoma Press, 1936, pp. xlii, 203.)

The study of Indian life in our Southwest inspired in the author of *Mitla* a desire to know what the Indians had borrowed from their Spanish or Mexican neighbors. The town of Mitla, in the state of Oaxaca, was chosen for intensive investigation. Its location, the attitude of neighboring peoples toward it, and ruins of magnificent ancient buildings and monuments indicate that the place was an important center among ancient Zapotecan peoples. Although a few mestizos control its wealth, the population of the town is still basically Indian and Zapoteco is its language. "Here," states the author, one "can find as close a picture of the economy of the eighteenth century as anywhere in the present-day world—transportation, milling, and threshing by animals; the wooden plow; planting by hand and foot; hand-worked bellows; . . . virtually no plumbing or window glass; the beginnings of the wage system, but not a factory in the town; . . . no coordination of industry. . . .

Yet, a few twentieth century innovations are in evidence. There is an electric mill, which shuts down at 10:00 P. M.; a gasoline engine truck; and at least one sewing machine. Modern medicine is unknown; incantation, magic, and a thousand strange concoctions constitute the healing technique of the people. "Mitla is the place of rest where all the souls assemble," say the townspeople. Mysticism plays a great part in their lives and there are many shrines and religious festivals; yet, it seems the clergy exercise little influence. Although European churchmen have broken down the ancient Indian worship, they have not succeeded in establishing orthodox catholicism. Church and state are united; and, although the form of local self government is maintained, state officials frequently interfere in local affairs.

In analyzing the culture of Mitla the author concludes that its economy—houses, cookery, pottery, crops, foods, methods of planting, clothing, etc.—are largely Indian. This statement is modified considerably, however. Tiled roofs, yard wells, wheat and methods of preparing it for food, plows, wagons, domestic animals and fowls are Spanish introductions. In psychology and social structure Dr. Parsons finds European elements predominating.

The book is copiously illustrated with maps and pictures. In footnotes the author's findings are compared with those reported in other parts of Mexico and Central America. It is a scholarly work and constitutes a substantial contribution to the ethnology of the Indians of Mexico.

Civilization is the life story of Thomas Wildcat Alford, a venerable Shawnee Indian, a descendant of Tecumseh, who has spent most of his

life among his own people in Oklahoma. During childhood Mr. Alford lived on the Indian side of the frontier, where contacts with the white people were infrequent. He was educated in a mission school, maintained by the Friends near his home, and at Hampton Institute in Virginia. For many years he served the general government and his own people as a teacher, surveyor, clerk, interpreter, and in other capacities. In 1893 he was made chairman of the Business Committee of the Absentee Shawnees and thereby became the chief or principal adviser of those people. This position he still held at the time the book was written.

The book contains an interesting and vivid portrayal of the way of life among the Shawnees when its author was a lad, and interest is sustained as he describes his experiences during his transition from a primitive Indian boy to a progressive citizen of the Commonwealth of Oklahoma.

The chief defect of the book is that much of Mr. Alford's story has not been set forth in an adequate historical background. As long as he deals with his own experiences his account is sure and convincing, but his personal narrative is not sufficiently related to the larger theme of which it is a part. Notwithstanding his long experience on the frontier, the author evidently is not well acquainted with Oklahoma border history and his amanuensis seems to have been of no aid to him in this respect. It must be said that the book is not up to the standard heretofore maintained by the Civilization of the American Indian Series.

RUPERT N. RICHARDSON

Hardin-Simmons University

Pease, Theodore Calvin (ed.), *Anglo-French Boundary Disputes in the West, 1748-1763*. (Springfield: Collections of the Illinois Historical Society. French Series, II, 1937, pp. clxxi, 607.)

Volume one of the French series of the Illinois Historical Society Collections appeared in 1934. Volume two is equally valuable. It presents the original and also in free English translation a selection of documents, only a few of which have previously appeared in print elsewhere, and which are illustrative of a decade and a half of Anglo-French rivalry in North America. The documents are preceded by a lengthy and general but scholarly introduction, devoted to an analytical treatment of the factors involved in the intense international rivalry for supremacy in North America. The introduction itself, as the editor states, is essentially a diplomatic history of the Seven Years War.

Throughout the world, with the exception of North America, France emerged triumphant from the War of the Austrian Succession but within fifteen years thereafter she met with degradation not only in North America but elsewhere. The value of a French continental colonial empire in America was calculated not alone on "considerations . . . of fiscal profit and loss" but also on its value as a source of raw materials for French hatteries, as a base and indirect source of protection for Louis XV's "precious" West Indian sugar islands, and as a bulwark to "an English conquest of all America." France, giving less attention to the Nova Scotia-Acadia boundary controversy, considered absolute French control over

Oswego and the Ohio to be indispensable in securing her unimpaired control of the Mississippi and its tributaries: therefore, "the problems of both Oswego and the Ohio" soon "resolved themselves into problems of the economics of the fur trade" (p. xv) in which the French found it difficult to compete successfully with the English. In America the policy of the French colonial officials was often "dictated by the traders' business alliances, and by the huge profits that accrued to them from military operations at distant posts" (p. xix); consequently, orders from the home government were often ignored or misconstrued.

The inability of the joint Anglo-French commission to adjust amicably questions originating from the War of the Austrian Succession relating to prisoners, prize cases, the Nova Scotia boundary, and the respective rights of the two nations in the Neutral Islands, resulted in an English ministerial decision to settle their American difficulties along the Ohio "by matching force with force." Soon, "fear, mistrust and irresolution fanned the fire kindled in the North American forest until half Europe was in flames" (p. lxii). Each successive military victory or disaster in America affected the political, military and diplomatic set-up in Europe, and finally culminated not only in the loss of France's colonial empire in continental North America and in revolution in British colonial policy but also in that peculiar division of the Mississippi Valley, which was to be a source of international contention for the next forty years.

The skillful selection of documents of intrinsic importance from eight widely scattered "archive and manuscript repositories" was undoubtedly difficult. The results, however, are commendable; yet, we sincerely regret that the complete documents in many instances were not published—even at a small additional cost, for they would probably have had a wider appeal to students of American colonial history. Although the documents themselves are arranged chronologically and are grouped according to the various stages of the diplomatic negotiations of the period under review, there is no adequate key to their individual subject matter. The index, while adequate for its purpose, cannot be expected to serve this need.

The memorials and letters, as edited, cover a number of interesting subjects bearing upon English and French colonial affairs. Source materials touching the economic conditions of the colonies; the Indian problems; the military, political and economic motives for maintaining the colonies; the international rivalry in the Ohio region and other topics—not to mention the rich materials bearing upon the intrigues and diplomatic negotiations of the Seven Years War—are to be found in this collection of documents.

JOSEPH MILTON NANCE

The University of Texas

Ogden, Montell, *Juridical Bases of Diplomatic Immunity*. (Washington, D. C.: John Byrne & Co., 1936, pp. xx, 254.)

The sub-title of this volume describes it as "a study in the origin, growth and purpose of the law." It is also described as setting forth the "first principles of private law jurisprudence applied to international law

with a view to ascertaining the judicial and legislative processes of solving the social needs of states within the law." Whether these quotations are correct estimates of its purpose and function, the reviewer is convinced that the book is a most important and necessary examination of the postulates underlying the law of diplomatic immunity. This examination, not only of the facts and instances, but also of the foundations of this part of the law of nations, contributes greatly to an understanding of it at a time when all privileges, official and private, municipal and international, are being subjected to severe analysis and review. It is a welcome relief from the type of monograph which pieces together many cases and facts, without giving any attention to the theory, the necessity, or the justification of such a body of principle or law.

The method of approach is, first, to seek the basic reasons for immunity; second, to segregate the principal theories; third, to search for the sound legal principles of each theory; and finally, to search for the sound bases of the future law. It is an admirable example of research and literary planning, with the plans and specifications clearly set forth in the first chapter, and with a faithful, but not too perceptible performance in keeping with the plans. It has substance as well as outline.

Two chapters are historical. One discovers the historical bases of diplomatic immunity (origins); while the other traces the evolution of theory and practice (development). A mass of material is dealt with summarily, but the author's documentation here is thorough and abundant.

The most useful parts of the book are the four remaining chapters. One chapter deals with territorial immunity, as explained by the fiction of extra-territoriality. This fictional doctrine seems a bit labored in the author's treatment of it, but his conclusions as to its total inadequacy as moulding the law of today is absolutely sound. Another chapter deals with personal immunity as explained by the theories of representative character. The doctrine of sovereignty in its relation to personal immunity is fully discussed. Functional immunity, resulting from the necessity of protecting the channels of communication between states forms the basis of another chapter. Here theory and practice are brought together in a most constructive way. What is necessary for independent performance is made the test in this case, and the author rests this office of the state, as other modern state agencies are grounded, on function. Finally, the author discusses the foundations on which states may build the law to meet changing social needs.

Lack of space forbids any discussion of the many points raised by the author. That the law and its immunities exist to serve some social function or end, and that the law of diplomatic immunity is no exception, is one outstanding impression the reviewer gains in his perusal of the book. The functional view entertained by the author, together with his realism in dealing with a principle originating in the remote past, but having a basic present-day application, raises this above the usual monograph, and makes it a significant and—*mirabile dictu*—readable contribution to international law. The combination is rare.

CHARLES E. MARTIN

University of Washington

The Economic Literature of Latin America: a Tentative Bibliography, Vol. II. Compiled by the Staff of the Bureau of Economic Research in Latin America, Harvard University, (Cambridge: Harvard University Press, 1936, pp. xviii, 348.)

The present volume completes a preliminary survey of the economic literature of Latin America, "undertaken to provide a guide for economists and others interested in the social sciences." Whereas Volume I was especially devoted to the literature of South America, Volume II deals with Mexico, Central America, and the Caribbean.

Following the same style and format as the first volume, 6276 titles are grouped by geographical divisions, and further classified by subjects, such as agriculture, industry, labor, etc. The notes accompanying the subdivisions are perhaps fuller and more useful than those of Volume I. The appendix on the statistical sources of each area is much more detailed, and consequently much more valuable than that of the preceding volume.

Whereas in reviewing Volume I, one could state, quoting the introduction, that Volume II would supplement the first volume, correcting any errors and supplying previous omissions, Volume II provides no such ready reply to criticism. The introduction states that the preliminary survey is now completed, and gives no inkling as to the future plans of the Harvard University Bureau. Furthermore, Volume II provides no supplement to the separate country sections of Volume I, in which there occurred a number of notable omissions, such as that of Acevedo's many-volumed *Anales Historicos del Uruguay*, published both privately, and by the University of Montevideo in its *Anales*. In all fairness, however, one must add that the general division "Latin America" in Volume II is in many respects supplementary to the similar division in Volume I.

Turning to the material directly covered by Volume II, it is to be regretted that a number of important omissions occur. Thus the Cuban listings omit Charles E. Chapman's *A History of the Cuban Republic*, which, moreover, contains a useful "Essay on Authorities" which is not referred to in the discussion of bibliographical works in the introduction. Gordon Ireland's *El Digesto Cubano*, a digest and index of all the laws and decrees of the Cuban Republic which is invaluable to the economic historian who is confronted with the problem of working with the poorly indexed Cuban legislative material, is also not included. Furthermore, a few errors have crept into the volume. On page 278, for example, in the appendix material on the sources of Mexican banking statistics, the monthly *Examen de las Condiciones Bancarias e Industriales* is attributed to the Banco de Mexico, the central bank, whereas actually it is published by the Banco Nacional de Mexico, a large commercial banking institution. It is interesting to note that the same error appears on the following page under "non-official sources," where the *Monthly Summary of Business Conditions* is also attributed to the Banco de Mexico. Incidentally, it may be remarked that the Banco Nacional now issues the former publication under the title, *Examen de la Situacion Economica de Mexico*, and publishes, as a successor to the *Monthly Summary* which was discontinued in 1931, an English translation entitled *Review of the Economic Situation of Mexico*.

For every error or omission, however, there are dozens of valuable

listings, which make the work a useful tool for students of Latin American affairs. The labor of producing a work of such magnitude and which breaks new ground, has been tremendous, and it is to be hoped that the Harvard University Bureau will continue its efforts in this direction, carrying to final completion a work well begun.

EMILIO G. COLLADO

New York City

Ralston, Jackson H., *Supplement to 1936 Revised Edition of the Law and Procedure of International Tribunals*. (Stanford University, California: Stanford University Press, 1936, pp. xx, 231.)

In 1926 the author published *The Law and Procedure of International Tribunals* in the Stanford Series of Books on World Politics. This book immediately took front rank as the leading work on international procedure in the arbitral and judicial fields. Digests of cases involved in arbitral and judicial settlement, and treatises on the law applied have been most helpful. However, no complete single volume attempted to discuss the law and procedure of such tribunals as a single and consecutive subject, considered in a universal perspective, and in its historical aspects as well as its present-day application. This is what the 1936 edition successfully accomplished.

Later, in the same series, the author did for the general reader and layman, in non-technical and interesting terms, what he had previously done for the expert. This carried the intriguing title of *International Arbitration from Athens to Locarno*. Being historical, authoritative and sound, this book deserves the reading which many less accurate but more war-producing books have obtained.

Now Judge Ralston covers, in the form of a Supplement, the cases, treaties, and developments for the decade following the publication of the 1926 volume. It would be sufficient recommendation merely to say that it covers essentially the same subjects, and maintains the same high standards as the 1926 volume. It does serve the purpose of bringing the earlier volume up to date, and no individual or institution possessing the first can well justify not securing the second.

This volume, however, has an integrity of its own, as covering the law, procedure, and jurisdiction of arbitral and other international commissions for the decade 1926-36. The claims commissions of Mexico and several other countries; the settlement of differences between Spain and Great Britain; the settlement of the controversies between the United States and the former Central Empires; and the work of the Permanent Court of International Justice form a distinct step in the development of international settlement through legal means, both as regards subject matter and time. In some cases genuine progress has been made, not merely through the settlement of disputes, but through the application of progressive principles of substantive law and through the development of an improved procedure. In other respects, there has been retrogression, which Judge Ralston does not fail to note, especially in connection with the application of the term "denial of justice." The Calvo clause, prescription, and the principle of

uti possidetis juris all enjoy much new material in the decade just past. Oral evidence, foreign exchange problems in relation to exchange, and unregistered treaties seem introduced *de novo*.

Anyone interested in or concerned with international developments during the last decade must add this volume to his library.

CHARLES E. MARTIN

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Pfiffner, John M., *Public Administration* (New York: The Ronald Press Company, 1935, pp. xii, 525.)

The study of public administration as a branch of the larger subject of political science, or plain "government," has made great strides in recent years, and appears now to be well established in American education. Mr. Pfiffner's work is a notable contribution to this field, and should be found a useful introduction to the subject for college students and lay readers. In its 500-odd pages the subject is broken down into five major parts: Organization, Personnel, Financial Administration, Administrative Law, and Public Relations, in which the major problems of public administration are presented in a well-organized and highly readable form.

Of the criticisms that may be directed against many previous general treatises on public administration, one important one at least cannot so effectively be aimed at Mr. Pfiffner's work, and that is the tendency to set up administration as essentially apart from government in its older and larger sense. In their ambition to establish public administration as a science and to separate it from the nasty subject of "politics", many students of administration tend to ignore the patent—however unpleasant—fact that the two are essentially parts of the same process. In the same way, students of "government" are inclined to think of administration as the study of sewers and garbage removal. The result is, very generally, a failure to see the whole governmental process, in its entirety, with attendant lop-sided views on the part of all concerned. On the whole Mr. Pfiffner presents a more balanced view.

Another criticism that may be directed against much American writing in this field is that a rather narrow provincialism is characteristic, by which "public administration" is confined to practice in America in the past twenty or thirty years. Though this narrowing of the scope of inquiry may tend to give a more practical bent to the investigations, one cannot help thinking that a larger view, both historically and geographically, would yield more fruitful results. In this respect too Mr. Pfiffner deserves some praise, though there is still plenty of room for expansion. He gives a fair amount of attention to contemporary English and French practice, especially on selected aspects of the subject, but does not go much further into the Continent, and in general does not turn back the pages of history at all. His materials in the United States, moreover, are rather heavily weighted on the municipal side, and he tends to draw his examples rather consistently from the West Coast.

For the most part these are criticisms which do not touch Mr. Pfiffner's work within the limitations of his intentions. They do not detract from

the original estimate that the book is a highly satisfactory introduction to the subject. The student should find the organization easy to comprehend and the explanations concise yet adequately illustrated with case material. There is a brief bibliography for each chapter.

HARRY L. CASE

Knoxville, Tennessee.

Pratt, Julius W., *The Expansionists of 1898: The Acquisition of Hawaii and the Spanish Islands*. (Baltimore: Johns Hopkins University Press, 1936, pp. x, 393.)

The author states that "the purpose of this study is to trace the rise and development in the United States of the movement for overseas expansion from historical beginnings under the Harrison administration at the opening of the last decade of the nineteenth century to its surprising triumph in the ratification of the treaty with Spain in February, 1899". The job has been exceedingly well done except that the story of Samoa has been omitted, the islands escaping with only one bare mention. Chapter I is devoted to "The New Manifest Destiny", in which Professor Pratt shows that the expansionist philosophy of the United States after the Civil War "owed little to economic influences". It was not the business man who discovered that he needed colonial markets and fields of investment but historians of the Mahan type and journalists and politicians of the Senator Thurston type who discovered it for him. "Harrison and Hawaii" tells of the plot of annexation up to the revolution of January 17, 1893. The story of that revolution, in which John L. Stevens, our minister to Hawaii, played a sorry part by landing marines to sustain the revolutionary junta, is given in detail. President Harrison was somewhat reluctantly won over to annexation and submitted a treaty for that purpose, but his successor, Cleveland, withdrew it before it was ratified. This caused a delay of four years, during which time a war of propaganda was carried on for annexation. The coming of the Spanish war hastened the event and opened the flood-gates to expansion both in the Atlantic and the Pacific. Shortly after the Spanish war it began to be whispered that it had been fought to save the money invested by Americans in Cuba. One of the greatest services of this book is the explosion of that myth. Professor Pratt has shown very clearly that only one or two who had property interest in Cuba favored the war while the rest opposed. In general, business, except the business of sensational journalism, opposed. At the beginning of 1898 American business for the most part "was either indifferent to imperialism, or definitely opposed." But the success of our arms and plenty of propaganda changed our views. "The Imperialism of Righteousness prevailed and we held to the Philippines where the humanitarians expected to win stars for their crowns by converting the natives and the business man expected to reap profits by selling shirts to them.

DAVID Y. THOMAS

University of Arkansas

Lopez, Alejandro, *Problemas Colombianas*. (Paris: Editorial Paris-America, 1937, pp. 317.)

Torres, Alberto, *O Problema Nacional Brasileiro*. (São Paulo: Companhia Editor Nacional, 1933, pp. 277.)

These two books afford valuable insight regarding the larger economic and administrative problems of the two countries treated. Lopez's work is the product of twenty-five years of investigation and study. His thesis is, "The solution of our problems depends primarily on the direction of our influential classes; productive forces are ready at hand; but directive forces are diverse and incoherent; we must bring them together for results." Some of the changes the author thinks must be brought about are a breakdown of multiple employments, the development of greater specialization in industry, stimulation of savings for capital purposes, make labor more productive, develop a science of labor efficiency and industrial organization, foster a practical vocational education, organize a sound internal credit, achieve security of person and of possessions for the rural workers, substitute animal and mechanical transport of goods for human backs (The author was surprised to see that in the United States men carried nothing on their backs), stabilize the population and prevent its constant mobility, introduce an era of science and apply it to agriculture and industry, transform the old tropical peonage labor system into a modern free labor system, reorganize the government on non-dictatorial principles, make use of the strong Latin idealism for constructive social and political purposes, employ both the press and the parliament in popularizing and making effective a new industrial and social era. The discussion of these problems is supported by data dispersed throughout the book.

The emphases of Torres' book are much the same. He points out that there has been a good deal of chasing the will o' the wisp in Brazilian politics and advocates a descent to the earth of hard facts. He says, "In finance, in administration, in justice, in political order, in administrative morality, in instruction, our decline is evident . . . In culture the decadence of the national society is obvious." (pp. 31-32). His remedy is the development of a public consciousness and responsibility, with effective knowledge; to improve the organization and effectiveness of labor; stop wasteful expenditures, both public and private; improve agriculture and industry; assimilate the various racial elements, which are now quite diverse in many respects and contain elements of degeneration; raise the level of public health and sanitation; take measures against the economic consequences of drouths; reorganize the administrative functions of government in the direction of efficiency; and assure labor the fruit of its toil. The discussion of these problems is interesting and incisive.

L. L. BERNARD

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Bradshaw, William L., and Garrison, Milton., *Township Organization in Missouri*, University of Missouri Studies, Vol. XI, No. 4, (Columbia: University of Missouri Press, 1936, pp. 70).

The authors of this little tract present a treatment of the optional

township organization found in some twenty-four of the one hundred and fourteen Missouri counties. This scheme of municipal organization has prevailed in Missouri since the Civil War, having been borrowed from the system followed in New York. A new constitution adopted in 1875 authorized a system similar to that followed in Indiana, Ohio, and Pennsylvania, with the exception that its adoption was optional with the voters of each county. The twenty-four counties which are now operating under the township plan contain some three hundred and forty-five incorporated municipal townships; the other ninety counties contain some nine hundred and fifty-eight unincorporated townships. (p. 13.) There is apparently no relation, however, between the density of population and the adoption of the township organization (p. 23). All townships in counties which have adopted the township system must be organized as such under the law, and if no positive action is taken to so organize the township, a small group of its citizens may hold a meeting for the purpose of electing officers.

The study goes into all the phases of township operation. The authors conclude that the township system is expensive and inefficient as a taxation district and that as a special road district it is not satisfactory. They show that the efficacy of the system has often been questioned, but that it has been retained because the township officials are fearful of losing their jobs, the small country bankers like the system because it ensures them of a function as depository of public funds, and the minor party favor it because they may control some township organizations when they have little hope of controlling the whole county. The authors also conclude that the township is too small a governmental unit for efficient administration. They advocate a return of the twenty-four township counties to the regular county organization found in the other ninety counties.

The study is clear, exhaustive, and penetrating. It bears the mark of a great deal of painstaking research and analysis.

JOE M. RAY

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Adams, Romanzo, *Interracial Marriage in Hawaii*. (New York: The Macmillan Company, 1937, pp. xvii, 353.)

The title of this book raised a question: "Why did Dr. Adams, on the basis of his long experience in Hawaii and with his intimate knowledge of the life of the islands, select such a limited subject for his research?" A reading of the volume, however, dispelled any doubts and the reviewer can think of no other subject that could lead so directly and so completely to an understanding of the real Hawaii.

This study reveals the process by which a number of races and cultural groups—native Hawaiians, whites of European and American ancestry, Chinese, Japanese, Koreans, Filipinos, Porto Ricans, and a considerable variety of mixed bloods—have been mingling their blood and interacting in ways that are developing common interests, common memories, and common loyalties. In fact, we are brought face to face with a civilization gradually emerging out of the many diverse elements which have poured into these small mid-Pacific islands. Chinese familism, Japanese or-

ganization, the Catholicism of the Portuguese and a different Catholicism of the Filipinos, Korean nationalism, the race consciousness of the British and Americans, and the absence of antipathy on the part of the native Hawaiians toward other ethnic groups have been factors. We can see here a civilization as it is evolving in a situation which approximates controlled laboratory conditions. The limited area of the islands, the smallness of the population, the relatively simple life as compared with mainland conditions—one main industry, sugar production, operating under a planned and controlled economy—and the isolation have made possible a study with a high degree of accuracy.

This monograph gives evidence of careful research; it is the fruit of many years of patient labor. Every statement, it seems, has been carefully weighed. Persons who are in the habit of dogmatizing about race relations on the basis of observation in some limited area will find much in this book that should lead them to pause and think. Dr. Adams has made a most valuable contribution to the understanding of race relations and assimilation.

WILLIAM C. SMITH

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Phelps, Harold A., *Principles and Laws of Sociology* (New York: John Wiley & Sons, 1936, pp. xii, 544.)

A considerable amount of discussion has for the past two decades ranged around the problem as to whether or not there are laws of society or simply trends, tendencies and cultural patterns. For the most part, earlier writers in sociology went rather far afield in developing the idea and concept of sociological laws. Later writers, especially those inclined toward the statistical and factual approach, have quite generally been led to the conclusion that there are no sociological laws in terms that have been set forth in the physical and natural sciences because of the lack of predictability of human behavior.

Professor Phelps' book is for the most part a reiteration of the point of view that there are sociological laws. One gains the impression that the difficulty to date has been the lack of basic data to show clearly the operation of these laws in society. At any rate the controversy is by no means settled and final determination of the issue must await further development of a science of sociology. Professor Phelps has written an unusually interesting volume. The quality of the work is especially commendable and the book should find rather wide use among teachers of classes in history of social thought, social theory and introductory sociology.

J. J. RHYNE

University of Oklahoma

BOOK NOTES

The Supreme Court and Political Questions (Johns Hopkins Press, 1936, pp. 145) by Charles G. Post, is a practical study of an interesting question. The author makes it perfectly clear in the introductory chapter to his

volume that he is not concerned with abstract theory, but states that his interest is in the purposes and consequences of the question he treats. In chapter two and three a consideration is given to a classification and analysis of cases involving political questions coming before the Supreme Court. In the concluding chapters the author develops the thesis that practical considerations of expediency have played a great part in causing the Court to place certain problems within the field of political questions. The study presents a rather realistic analysis of cases designated by the Court as involving political questions. This monograph should prove interesting to anyone interested in the nature of judicial processes.

S. A. M.

Romulo Nano Lottero (*Palabras para America*, Montevideo, pp. 193.) gives most of his space to a refutation of the propaganda of Vasconcelos against the aims and methods of the Mexican revolution as represented by Obregon and Calles. He supports his own attack upon the viewpoint of Vasconcelos with three lengthy and illuminating letters from other Latin Americans. His own viewpoint is that the social and cultural evils of which Vasconcelos complains are not inherent in the aims of the historical Mexican revolution, but in the incomplete realization of a democratic development of personality and of institutions from which Latin America still suffers in a marked degree. The discussion throws much valuable light on the state of politics and culture in Mexico and South America.

L. L. B.

The third edition of Professor Gillin's *Poverty and Dependency* has recently been published. First published in 1921 the Volume has been used widely in classes in poverty and social pathology. The second edition appeared in 1926. The general form and chapter headings are the same as the first edition. The addition of charts showing the organization of public welfare in New Jersey and in certain other states has materially strengthened the chapter on "State Supervision and Administration". Certain chapters in Part V have either been omitted, or revised, or consolidated with other chapters.

J. J. R.